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NATIONAL MUNICIPAL LEAGUE

THE LEAGUE'S BUSINESS

Personnel Committee Issues Preliminary Report.—The committee on a model state personnel law of the National Municipal League and the National Civil Service Reform League has recently sent to all its members a preliminary draft of a model state personnel law for their criticisms and approval. The committee now expects to publish its findings within a few months. Charles P. Taft of Cincinnati is chairman of the committee; Richard Kyle, of Hawkins, Delafield and Longfellow, New York, is secretary and author of the preliminary draft.

* * *

More Words of Appreciation from our Members.—The League is always glad to hear that the REVIEW is giving satisfaction to its readers. William L. Bradshaw of the University of Missouri writes: "I should like to inform you that I think you have done an excellent job in handling the REVIEW. It certainly is the most worthwhile publication in the field of local government."

J. Rupert Mason of San Francisco says: "May I please express to you my deep appreciation of your editorial, 'Toward a Municipal Land Policy.' In this you have taken the kid gloves off and let us please have much more straight talk of this kind."

HOWARD P. JONES, *Secretary*

* * *

LETTERS TO THE EDITOR

To the Editor of the National Municipal Review:

Please let me suggest three slight modifications from history in the exceedingly important and interesting article by Sophia A. Olmsted in the November issue, entitled "The Municipal Power of Investigation."

1. The office of commissioner of accounts was hardly a magnet for John Purroy Mitchel, brilliant as was his work in it. When he took it he thought there was next to nothing in it. New York owes his later enthusiasm for this opportunity to coöperation from an outside governmental research agency.

2. Historically, it is hardly fair to say that between 1917 and 1934 the office went into "temporary eclipse." On the contrary, some quite extraordinary, valuable work was done during that long period but unfortunately without enough public support.

3. One reason why more benefit did not come from the office in these so-called eclipse periods was that the former charter provision was not obeyed, which required that reports of special investigations be sent to the board of aldermen—and thus to the public. Unfortunately, that extremely important safeguard against eclipse, and blackmail too, has been omitted from the new charter of New York City.

Very truly yours,

WILLIAM H. ALLEN,
Institute of Public Service

New York City, January 19, 1937

Dr. William H. Allen,

New York City

Dear Dr. Allen:—

I found your comments on my article very interesting and stimulating.

Your personal familiarity with the history of the office of the commissioner of accounts is far superior to mine, but in each case you rather prove the points made by my somewhat trite journalistic expressions.

1. In re "magnet": Regardless of the cause or credit due, it is apparently true that John Purroy Mitchel magnetized or was magnetized by the office of the commissioner of accounts in that he became aware of and used to the utmost the great potentialities of the job.

2. In re "temporary eclipse": Again, granting that the cause you ascribe was lack of public support for such good work as may have been done by the office between 1917 and 1934, because it was either pigeonholed by higher officials or met with indifference on the part of the public, the net result was "temporary eclipse."

3. Since the new charter provides that the commissioner of accounts should make any investigation directed by the mayor or the council, it seems to me that the power of council to obtain information or the results of investigations from this office is greatly enhanced.

All for those honest differences of opinion which make for good government and toward the functioning of a democracy, I am

Sincerely yours

SOPHIA A. OLMSTED

New York City, January 20, 1937



NATIONAL MUNICIPAL REVIEW

Let's Manage the National Government!

THE plan for reorganization of the administrative branch of the federal government recently transmitted by the president to congress is in language long familiar to members of the National Municipal League. Recommendations hailed in some quarters as startling are recognized by League members as the application to the federal government of principles tested in the field of state and local government where they have proved their merit.

"A responsible and effective chief executive as the center of energy, direction and administrative management; the systematic organization of all activities in the hands of a qualified personnel under the direction of the chief executive; and to aid him in this, the establishment of appropriate managerial and staff agencies....Provision for planning, a complete fiscal system and means for holding the executive accountable for his program"

These phrases taken from the report of the president's committee—composed, incidentally, of three long-time active spirits in the National Municipal League, Louis Brownlow, Charles E. Merriam and Luther Gulick—might well have been referring to state or local government. They express essential ideas embodied in the council-manager plan as designed for both cities and

counties. Their origin, however, is far more basic than that. As the committee explains, they are "principles drawn from the experience of mankind in carrying on large-scale enterprises" and "may be considered the first requirement of good management." They have "emerged universally wherever men have worked together for some common purpose whether through the state, the church, the private association or the commercial enterprise."

The proper scope of governmental functions was not a concern of the president's committee. Given the existing activities of the federal government, it was the task of the committee to rearrange them into a better organization through which the government might become more efficient and more responsive to the will of the people. Holding constantly in mind the principles above stated, the committee has redrawn the organization chart so that lines of responsibility can be traced through from the highest executive to the smallest administrative agency of the federal government.

To relieve the overburdened president, the committee proposes the addition to the White House staff of six executive assistants, "direct aides in dealing with the managerial agencies and administrative departments of government." To

enable fixing of responsibility the president should be given direct control over the now scattered managerial functions of the government—personnel management, fiscal and organizational management and planning. This would mean that the civil service administration, the bureau of the budget and the national resources board should be part of the executive office. Now the president has the responsibility for management but no adequate machinery for exercising it.

Recommendations are made for strengthening each of these central agencies of management. The merit system should be extended to include all positions in the executive branch of the government with the exception of those which are policy-determining in character and the committee recommends reorganization of the civil service commission into a civil service administration, a central personnel agency under a single head with a non-partisan, non-salaried board of citizens to act as watchdog for the merit system and to represent the public interest in the improvement of personnel administration in the federal service. Increasing salaries in the higher administrative and professional grades is recommended as an important step in the establishment of a real career service.

So generally recognized as sound fiscal practice is the independent audit that it causes a start of surprise to be reminded that in our federal set-up we do not have it. To remedy this the committee recommends the replacement of the comptroller general and his pre-audit and veto power by an auditor general under the secretary of the treasury. The auditor general would make post audits and report to congress, with the attorney general passing on the legality of disputed expenditures.

The more than 100 independent departments, boards, commissions, authorities, agencies and activities that dangle

and sprawl on the organization chart as it is now drawn, many without well defined relationships, would be placed within one of twelve departments, each headed by a cabinet member responsible to the president. To the ten major executive departments which we now have in the federal government, the committee's plan would thus add two, a department of social welfare and a department of public works. It is recommended that the name of the department of the interior be changed to the department of conservation as more accurately descriptive of its function. The interstate commerce, federal power and federal communications commissions are included among the agencies which it is proposed to place under cabinet departments with the commissions remaining as distinct judicial bodies.

The major importance of planning is recognized in the recommendation that a permanent national resources board of five members having indefinite terms and without salary be set up to serve as a central planning agency under the president and to cooperate with the local, state and interstate planning agencies throughout the nation. This agency would have a director appointed by the board who would be an executive officer in the classified service and a paid staff of career men.

Equipping the executive branch with better means of managerial direction, more efficient personnel, better fiscal controls and improved machinery for planning; simplifying its organization and reducing the number of its agencies; and making it more accountable to congress—in this formula lies the application of modern methods of public administration to enable the president to carry out the duties imposed upon him by our constitution.

It is almost gratuitous to commend this program of reorganization to RE-

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Progress and Prospects Under the Social Security Act

The first year finds
all sections of the act
in operation with
over twenty-three
million people under
its provisions

FRANK BANE

Executive Director, Social Security Board

THE social security act is passing its third milestone. Enacted in August 1935 and effective in February 1936, it is now completing its first full year. Our confidence that the act was workable has been re-enforced by nearly twelve months of actual experience. The act is working. Every one of its ten provisions is in operation, and together they are bringing an increased measure of security to millions of people in every part of the country.

The outlook for security before the passage of the act is the best measure of the advances that have been made under it. In 1934 we remained the only great industrial nation which had no comprehensive program of social legislation. Although some communities and some states had welfare laws which offered a more or less adequate basis for meeting local needs, in many, the existing legal provisions were totally inadequate. Moreover, regardless of what their laws might provide, in recent years the majority of cities, counties, and even states have not been financially able to meet the demands made upon them. With local welfare expenditures in many parts of the country drastically curtailed or even suspended, the federal government had been compelled to step into the breach. And with eighteen million men, women, and children on relief, it was already bearing the heaviest share of the welfare burden, even before the social

security act was proposed. But the need for federal participation was still thought to be temporary. It was not until 1935 that a nation-wide security program was generally recognized as a continuing necessity.

In contrast to the "pinch-hitting" policy of less than three years ago, the federal government is now coöperating with state and local governments in every part of the country in a long-term program of protection and prevention. About a million and a half of those who are in want through no fault of their own—the aged, the blind, and dependent children—are now receiving regular cash allowances from federal, state and local funds in forty-three jurisdictions. At the end of 1935, only about 400,000 of the needy aged were being aided by state and local assistance programs; today, nearly three times as many needy old people—about 1,133,000—are receiving assistance under federal-state programs in forty states, the District of Columbia, and Hawaii. In 1935 the average monthly expenditure for old-age assistance totaled a little more than five and one-half million dollars for all the states granting such aid; in January 1937, the total old-age assistance expenditures from federal, state, and local funds is estimated at nearly \$21,232,000. Although old-age assistance has made more rapid strides than the two other public as-

sistance programs, the numbers of needy blind being aided—nearly 32,000 in the twenty-eight states now participating in this program—and of dependent children—about 314,000 in twenty-seven states—represent substantial increases over the numbers aided in the same states before federal funds became available.

In every state in the union, local as well as state public health programs have been strengthened and expanded with federal coöperation and financial assistance. In addition, training centers for public health officers and nurses have been established and special research projects in relation to some of our most serious health problems have been undertaken. The maternal and child welfare programs and that for the vocational rehabilitation of the handicapped have progressed at substantially the same pace as the public health provisions. Federal grants are now being used in virtually all parts of the country to supplement state and local funds for these purposes.

These provisions for public assistance and for the various welfare programs represent extensions of services which most of our states and communities have for years been attempting to provide. All that these sections of the act do is to make the federal government a party to these long-established public welfare enterprises. But the act does not stop with supplementing existing programs. Nor is it limited to providing for those who are already in need. One of its major purposes is the prevention of need. This purpose, implicit in all its provisions, is the explicit objective of two sections of the act—those for unemployment compensation and old-age benefits. These measures are of special significance because they are our first attempts to forestall want and dependency and to protect our citizens and our government from ever-mounting demands for relief and assistance.

With the exception of a single state law—that originally passed by Wisconsin in 1932 but not effective until 1934—no public provision for unemployment compensation had been made prior to the passage of the social security act. Today, approximately eighteen million workers are covered by such laws in thirty-five states and the District of Columbia.

OLD-AGE BENEFITS

Finally, up to 1935 we had taken absolutely no steps to forestall the continued increase of old-age dependency, in spite of the fact that this obviously loomed as the most widespread, and in many ways most serious, of all our security problems. The system of old-age benefits established by the act went into effect on January 1; and from now on workers in our major industrial occupations will build up retirement annuities which will give them a life income, and to which they will be entitled as a right, because of their own industry and earnings during their productive years. Since November 16, when the first step toward the assigning of account numbers for these benefits was undertaken, well over 22,000,000 workers have applied for accounts, and applications are still being received.

With these provisions now offering American workers protection such as they have never had before against temporary unemployment during their working years, and against dependency after their working years are over, with federal-state public assistance and welfare provisions already in operation, this first year under the social security act has marked the greatest advance toward security ever made in this country.

This advance is one of quality as well as quantity; we have not only more provisions for security but better provisions. The states are giving assistance and protection to more people and in

more adequate amounts, and they are developing programs based on a broader and more constructive concept of what social legislation means in the present-day world.

PUBLIC WELFARE PROBLEMS

Until very recently our attitudes toward public welfare have reflected the ideas of our forefathers rather than the circumstances of our own times. In incorporating the Elizabethan poor laws, with their emphasis on local responsibility and on the stigma of pauperism, into the legal structure of the civilization they were building on a new continent, our earliest colonists set a pattern which has persisted up to the present. These laws were the more readily transplanted since they were well suited to the individualism and isolation of pioneer life. But our present industrialized society creates problems and demands unthought of three hundred years ago. In attempting to meet modern conditions the social security act builds on all that is sound in our past experience, but at the same time it looks to the future. It recognizes the necessity of giving the working man an opportunity to protect himself against the economic hazards of unemployment and superannuation, and his right to governmental support in these efforts. It recognizes the necessity for placing public welfare and assistance to those who are now in need on a decent and self-respecting basis. In attempting to provide these minimum essentials for all our people, it also recognizes the diversity of problems and needs in a country where industrial and social conditions differ greatly from state to state. And in providing for three-way coöperation between federal, state, and local units of government, it recognizes that the responsibilities of each must form mutually complementary parts of an integrated whole.

With the exception of old-age benefits, plans set up under the act are state-in-

itiated and state-administered. The act makes federal coöperation and financial assistance available. But the state remains, in effect, the keystone in the whole structure, coöperating with the federal government on the one hand and with its local subdivisions on the other. The act has enabled states to open up new welfare programs and to liberalize existing provisions. This trend toward liberalization has been particularly evident in relation to public assistance. The age, citizenship, and residence requirements, to which state plans approved under the act must conform, offer a broader coverage than most of their predecessors before federal aid was available. Less stringent property requirements and the provision that federal funds may not be used for the support of persons in institutions mean that the able-bodied may be cared for in their own homes rather than in almshouses. Without adequate funds, it was no doubt inevitable that earlier state and local laws should have set rather rigid limitations upon eligibility for assistance. Now that federal grants are available for this purpose, it is to the advantage of the state to broaden the coverage of public assistance. By helping the state to care for these three groups whose needs are likely to be continuous over long periods of time, the act tends to reduce the residual relief load for which the state and its communities must assume the entire financial responsibility.

The social security act not only makes more money available, but assists the state in seeing that it is spent so that it will do the most good. State-wide operation and state participation in administration and financing, as required under the act, have long been recognized as necessary for effective public welfare. Moreover, federal contributions for public assistance and the other services covered by the act free state and local funds which may, if the community

so wishes, be used for other equally essential welfare services. As the protection offered by unemployment compensation and old-age benefits begins to play its full part in our security program, the act will have a still more direct effect upon state and local relief burdens. By striking at the roots of the problem, by forestalling, in large measure, the want which results from loss of work and from poverty in old age, these measures will in future reduce very materially the number of persons who would otherwise become either temporarily or permanently dependent upon relief or assistance.

A YEAR OF PROGRESS

The development of social legislation on a nation-wide scale is still in its pioneer stage in this country. But during this first year we have made significant progress in both phases of the double-barreled problem with which we were confronted. We have met imperative needs without delay, and at the same time we have laid a solid groundwork of administrative organization. We have been forced to act quickly to make up for our quarter century of arrears in social legislation; we have been able to act quickly because the social security act utilizes existing machinery of government coöperation.

On our first task—that of making benefits and services actually available to the individuals whom the act is designed to protect—progress has been more rapid than most of us would have cared to predict a year ago. The period of most rapid expansion in terms of numbers of individuals covered is probably over. With the initial assignment of account numbers for federal old-age benefits completed, this system will soon establish its normal routines in handling new accounts for the annual load of workers entering industry.

Under the stimulus of the favorable decision of the Supreme Court on the

New York State unemployment compensation law, eighteen states passed such legislation during December; three-fourths of the states now have laws approved by the Social Security Board under which workers in covered industries will receive regular weekly payments for a definite period in case of future unemployment. Those states which have not yet enacted such legislation are, with a few exceptions, predominantly agricultural, and the coverage under the unemployment compensation laws already passed represents approximately 80 per cent of the anticipated total when all states have such laws.

Only seven states are not coöperating in at least one of the public assistance provisions and twenty-four are participating in all three. As to the proportion of those in need who are actually receiving assistance in the participating states and the number of persons who will be receiving assistance when the plans reach their maximum coverage, it is too early to make any definite conjectures. While further development in aid to dependent children may be anticipated in the states already participating in this program, it seems likely that conspicuous increases in many states will be contingent upon further liberalization of legal provisions. For old-age assistance and aid to the needy blind it is impossible to make any accurate estimates of the prospective load. The variables are still too great—depending upon state definitions of eligibility, the amount of money available from state and local sources for matching with federal funds, the states' policies with regard to the expenditure of available funds, and the eventual effect of old-age benefits upon the old-age assistance load. Up to the present it is probable that the number of persons receiving assistance reflects the states' financial capacity more nearly than the total number in need of assistance.

Further increases in the numbers

covered will also depend upon the development of social legislation in the states not yet participating fully in the provisions of the act. With 1937 a legislative year, it seems probable that a number of states which have not yet had an opportunity will soon pass the necessary legislation. Unemployment compensation is now being or will soon be considered by a number of state legislatures. In the public assistance field, a considerable amount of state action is also likely during coming months, especially with regard to aid to dependent children and to the needy blind. It is probable that the lag in the development of state programs for these two forms of assistance, as compared to those for old-age assistance, will be largely made up before the end of another year.

PROBLEMS TO BE FACED

While the next year—and many years to come—will see a steady growth in all these programs, the major task of the coming months is clearly one of development within the present framework. Although the specific problems of the various sections of the act differ in detail, in the last analysis all of them depend upon certain fundamentals. These basic problems are already recognized and steps are being taken to meet them.

The areas of federal, state, and local responsibility and the functions of agencies operating at each level must be clearly defined, and practical methods of coöperation, so well begun during this first year, must be further developed. Another direction in which further co-operation is urgently needed is in the relationship of the security programs of the various states. Unemployment compensation and public assistance, in particular, raise many interstate questions, especially as between closely neighboring states. And still another direction for the development of co-operation is in the coördination of se-

curity and welfare programs within each state. Agencies operating under the social security act and others under state and local auspices all form parts of the same picture. If these efforts are to yield their maximum in economy of administration and effectiveness of service, they must all take their places as integrated parts of a carefully planned and well organized whole. The social security programs offer a nucleus around which each state now has an opportunity to develop a comprehensive welfare program.

The whole matter of standards of eligibility and of other requirements affecting the individual offers many problems for further study and development. Though the needs to be met and the relationship of the individual to the program differ, as between unemployment compensation and public assistance, these questions of standards and of benefits are equally urgent in both fields. Important as are actual cash payments to individuals, neither program will fulfill its entire purpose simply by handing out money. In both, these payments meet only part of the problem; whatever services will help the beneficiary to deal with his personal difficulties in a self-respecting and constructive manner are also essential. One of the most promising aspects of the social security act is the fact that its flexibility leaves the states room for experimentation and growth along these lines.

The development of increasingly efficient administrative machinery within the states, and the provision of adequate and sound state financing for the various programs are also problems with which we shall have to deal during coming months. And with every one of these other problems is linked that of personnel. It is obvious that the administration of these complex plans demands competent and experienced work-

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Municipalities and the Federal Works Program

Huge sums appropriated by Congress for work projects help cities transfer recipients of relief from doles to jobs

GLADYS OGDEN

Committee on Public Administration, Social Science Research Council

BY the summer of 1936 more than six billions of dollars had been appropriated by Congress for the purpose of taking men and women from the relief rolls and putting them to work.¹ On December 10 of the same year 98.5 per cent of this sum had been allocated by the President, 80 per cent had been spent and 1.5 per cent remained unobligated in the United States treasury.²

On December 10, 1936, more than 28 per cent of the total expenditures under the work program had been of direct benefit to the municipalities, that is, it had gone for projects initiated and sponsored by cities and towns under the Works Progress Administration, the Public Works Administration, the National Youth Administration, and the Bureau of Public Roads. Nearly 40 per cent was of indirect benefit, having been allocated to the states and counties through WPA, the Rural Electrification Administration, and the FERA (during the interval between the establishment of the work program and the

liquidation of direct relief), and spent largely in urban areas. A little over 2 per cent was spent by federal agencies chiefly in the cities; as was 4.1 per cent which represents the cost of administration for the program as a whole.³

Thus only slightly more than 25 per cent of all expenditures—or a little over one billion dollars—had on December 10 been of no particular benefit to the municipalities. This money went to rural areas under the supervision of agencies such as the Resettlement Administration and various bureaus in the Departments of Agriculture and the Interior. Some of it, moreover, such as the several hundred million dollars spent on highways and grade separations, was of benefit to the urban as well as to the rural communities.

This division of the funds is easily understood in view of the heavy concentration of the relief rolls in the cities and towns throughout the country. Because of it, however, the lines of contact between the municipalities and the work program, and the problems, misunderstandings, and adjustments involved, become of interest and importance.

GENESIS OF THE WORK PROGRAM

When the work program was officially initiated in the spring of 1935 it was

¹The Emergency Relief Appropriation Act of 1935, signed April 8, 1935, appropriating \$4,880,000,000; and the Emergency Relief Appropriation Act of 1936 (Title II—Relief and Work Relief, of the First Deficiency Appropriation Bill for 1936) signed June 22, 1936, appropriating \$1,425,000,000.

²U. S. Treasury Department, *Report Showing the Financial Status of Funds Provided in the Emergency Relief Appropriation Acts of 1935 and 1936 as of December 10, 1936*, p. 18.

³Approximate figures based on U. S. Treasury Department and Works Progress Administration status and progress reports.

the result of months of study on the part of the federal government. Faced by the spectacle of the loss of morale and self-respect on the part of those on the "dole," it had had to make a choice. The dole was relatively cheap in terms of money but expensive in terms of human resources. Work was more costly financially speaking, but in the end less costly to the nation. It was determined, therefore, to abandon the dole and to adopt a policy of work.

The final choice was made in the fall of 1934. In December of that year nearly twenty million persons, or more than one-sixth of the population of the country, were on the dole, and the trend was upwards.⁴ It was calculated by the FERA that a certain number of these were "unemployables" for reasons such as age, infirmity, and so on. These were to be returned to the state and local governments whence they had come in 1933 and whose responsibility it was thought they were.

Of the remainder it was found that 3,500,000 were heads of families and single persons, and it was believed that by giving them regular and relatively secure work for one year they and their dependents would be provided for until the normal pick-up of private industry absorbed them.

Next came the matter of wages. A prevailing wage for full-time work would compete with private industry, and so the so-called "security" wage was set at a figure lower than the going rate, at an average of \$50 a month, with the idea that a year's employment would in most cases be provided.

The rest was a matter of mathematics. It was estimated that \$4,000,000,000 would provide the necessary employment. An additional \$880,000,000 would be needed to carry the CCC and

the FERA until July 1, 1935, when the new program was to start.

ORGANIZATION

On April 8, 1935, the necessary funds were made available by Congress—approximately \$4,880,000,000. From about the middle of March to the beginning of July the outlines of the organization and the major policies by which it was to be guided were determined.

Projects were to be sponsored by federal, state, or local governmental units, and the largest group of these were the municipalities.

For purposes of control the program was federalized. WPA approved projects from the point of view of the availability of relief labor in the areas in which work was proposed. It also determined the amount of money to which each state was entitled on the basis of its relief load, and the number to be employed. In addition it had final control of exemptions from the rule that at least 90 per cent of the labor on all projects must come from the relief rolls.

The Bureau of the Budget checked on the cost of administration. The General Accounting Office reviewed projects from the standpoint of the terms of the appropriation and currently was to conduct an audit. In many cases technical review of projects was necessary and other federal agencies were called in, such as the Central Statistical Board for research projects, the Bureau of Biological Survey and the Public Health Service for drainage projects, the Bureau of Air Commerce for airports, and so on. The President himself finally signed every project.

In addition to this there was a new and interesting development. The accounting, disbursing, and procurement units of the Treasury Department were decentralized for the first time to the state level, and occasionally even below that to the work district level. Treasury offices were set up in each state and here

⁴*Monthly Report of the Federal Emergency Relief Administration, December 1 through December 31, 1934, p. 2.*

the financial operations of the program were controlled.

Finally the United States Employment Service was drawn into the picture. All persons on the relief rolls and eligible for work under the new program were required to register with the nearest employment or re-employment office, and it was from this office that assignments to jobs were made. Reassignments were the responsibility of WPA.

At this time WPA was regarded chiefly as a controlling and coordinating agency. The greater part of the work was to be undertaken by other units, such as PWA, the Resettlement Administration, and the regular federal departments. Where gaps occurred, WPA would fill in.

THE 10 PER CENT RULE

And so the organization was outlined. As it developed through April, May, and June of 1935, certain policies heretofore more or less tacit became crystallized. First and foremost, and reiterated again and again by the President himself, was this fact: three and a half million men and women must be put to work at a cost of four billion dollars and at an average wage of fifty dollars a month. And so there was formulated a rule concerning the proportion of non-relief labor that might be used on any project. Under the FERA work program approximately 5 per cent of the labor employed was supervisory and non-relief—for the most part technical and professional people. To play safe the figure for the new program was set at 10 per cent. Exemptions could be obtained when absolutely necessary from WPA but they were to be avoided as much as possible if the purpose of the program was to be achieved.

As it turned out, by the end of August, 1936, 85.3 per cent of those employed on the work program had come from the relief rolls. For WPA the

figure was 94.9 per cent, but some of the other agencies were less successful. For PWA it came only to 22.8 per cent and for another large spending agency, the Bureau of Public Roads, it reached only 32.9 per cent. Other agencies ranged between the two extremes. The CCC, the Veterans Administration, and the Departments of Commerce, the Interior, Labor, Navy, and the Treasury were fairly high. The Reclamation Service and the Rural Electrification were low.⁵

MAN-YEAR COST

It was also necessary, in view of the mathematics of the situation, that projects should not be too expensive. The man-year cost had at least to be \$600, since this represented the security wage. In addition to that, materials and supervision had to be provided. Under WPA it was not required that contributions be made by sponsors but in many cases they were—largely in the form of materials and equipment—and for the first year of the program they amounted to 18.2 per cent.⁶

This caused some trouble. One city would find that it could not get a project approved unless it agreed to contribute so much in the form of materials or otherwise, while a neighboring city could get a similar project without any contributions at all. There was no uniform policy in the matter. There were, however, several points taken into consideration in Washington which resulted in the approval of one project and the rejection of another. The relief rolls in the second city may have been higher than in the first and its project more necessary, or the second city may have been contributing more on other WPA projects, or have been more heavily in debt. Perhaps it had sponsored more

⁵Works Progress Administration, *Report on Progress of the Works Program*, December 15, 1936, table 2, p. 54. Figures as of October 31, 1936.

⁶Ibid, October 15, 1936, p. 47.

work under PWA where 55 per cent of the cost had by the regulations to be borne by the sponsor.

Work undertaken by PWA differed from that of WPA in two important respects: (1) for the most part PWA work was heavy construction, and (2) it was contract work conducted at the prevailing rate of pay. Thus, it was more expensive; required a good deal of skilled labor of which there soon developed a shortage all over the country; needed extensive exemptions from the 10 per cent non-relief leeway per project; and generally was a good deal less effective as a means of removing men from the relief rolls than was WPA. On a normal PWA project—say a bridge or a high school—the average cost per man-year ranged from two to five thousand dollars. This was too expensive to be undertaken in a work relief program. In order to make the money go further, therefore, it was determined that PWA would make a 45 per cent grant and, if necessary, a loan for the remainder at 4 per cent interest. Then in calculating the man-year cost under PWA only the 45 per cent grant was taken into account, but even so it averaged about \$1300,⁷ whereas under WPA it came to \$792 so far as the federal government was concerned and only \$972 when sponsors' contributions were included.⁸

It was not determined until fairly late in the program—in the first part of June, 1935—that the man-year cost

would have to be low and, indeed, very low. The result was important. The federal agencies and especially PWA had to reduce the scope of their activities. This left large gaps in the plan as a whole. WPA, therefore, which was equipped to undertake small, inexpensive projects, became the greatest spending agency in the program. It came, in fact, to dominate the program entirely since already it was chief controller and chief coordinator, and now it became chief spender as well. It is perhaps for this reason that the second work relief appropriation passed by Congress, in the summer of 1936, was made directly to WPA.

THE "BACK-LOG"

In view of the increasing importance of WPA the administrator of that agency in the state became the most important person in the work program at that level. His was the responsibility and he needed, therefore, large discretions and flexible tools with which to work. One of these was the so-called "back-log."

According to this policy, from two to three times as many projects were approved as could actually be undertaken. This was true of both WPA and, to a lesser extent, of PWA. The advantage to the WPA state administrator was that he could keep an eye on the relief load and on the projects sponsored under other agencies and fill in with his own projects where needed, choosing them from a large reservoir of approved work. If he needed a project in one county it was of no use to him to have the only available work several counties off.

This procedure helped the state administrator but it caused a great deal of trouble for the sponsor. For example, a city might have, say, sixty WPA projects accepted. At first it was assured that when these projects received final approval in Washington the federal government was committed to them,

⁷First Deficiency Appropriation Bill for 1936, *Hearings before the Sub-committee of the Committee on Appropriations, United States Senate, Seventy-fourth Congress, Second Session, on H. R. 12624*, testimony of Harold L. Ickes, Secretary of the Interior and Federal Emergency Administrator of Public Works, p. 345. See also *ibid*, tables pp. 343-353.

⁸First Deficiency Appropriation Bill for 1936, *Hearings before the Sub-committee of the House Committee on Appropriations in charge of Deficiency Appropriations, Seventy-fourth Congress, Second Session, Part II*, testimony of Harry L. Hopkins, Works Progress Administrator, p. 119.

and there was every expectation that they would be undertaken and completed. But when it became apparent during July and August of 1935 that flexibility was imperative it also became clear that, say, only twenty of the projects approved for the city could be undertaken. In some cases the reasons involved were not made clear to the sponsoring authorities. They did not understand and frequently (and quite naturally) resented what they took to be a violation of an agreement. What made it worse was that one city might have, perhaps, 40 per cent of its approved projects undertaken, while a neighboring city might get only 30 per cent. The underlying reasons, of course, were the size of the relief load, local contributions, the size of the PWA program, the presence of other federal projects, etc.

Fundamentally it was a matter of adjustment among many valid claims and the man in difficulty most of the time was the WPA state administrator.

SCHEDULING PROJECTS

Another aspect of the program that threatened to cause trouble, and indeed did cause some, was the plan that WPA state administrators should schedule the projects of other agencies. For instance, a sponsor might submit an application to PWA or the Bureau of Public Roads. After approval in Washington it had to be cleared, from the standpoint of available relief labor, with the WPA state administrator. If it did not fit into his program he had the authority to delay it until it did, or even to reject it entirely.

This plan never worked. So far as there was any attempt to apply it, it caused trouble, for when a project was rejected or delayed the sponsors for the most part did not understand why. The natural reaction was either to accept the situation with some resentment, or to bring pressure to bear where it would do

the most good. In the end the scheme was dropped and was not provided for in the second year of the program.

POLITICS

These, then, were the outstanding problems and difficulties in the work program so far as the municipalities were concerned. They were based to some extent on misunderstandings which were unavoidable in a scheme using so many agencies and so much money. Under these circumstances it was difficult enough. But there was involved yet another problem and a very serious one. The program was being conducted in a campaign year. A great deal of money was being spent. There had been accusations of "politics in relief" under FERA. It was inevitable that similar and more vociferous complaints should be raised in 1936.

What happened was this: The President was determined to do away with the dole. He needed a free hand and a great deal of money—the largest appropriation ever made by Congress in peaceful times. Concessions were made on both sides and one was that all appointments involving an annual salary of \$5,000 or more were to be confirmed in the Senate. With few exceptions the salaries of state administrators are above this figure.

The result was inevitable. WPA could not maintain as complete a control over the selection of personnel as it should have had. There was a shake-up all along the line in the old state emergency relief organizations and "friends" and "people sympathetic to the program" replaced relief administrators who were unacceptable to the Senate.

In only fourteen states was there no change of administrator.⁹ In some

*Alabama	Louisiana	Utah
Arkansas	Massachusetts	Vermont
Georgia	New Mexico	Virginia
Indiana	Ohio	Wyoming
Kentucky	South Dakota	

cases adjustments were made and an unacceptable administrator was placed in a deputy position under the nominal supervision of a man confirmed in the Senate. In other states new appointments were made.

Where the ERA administrators were confirmed under the new program the WPA organization was superimposed on the ERA. It was little more than a change of name and emphasis. Such, for example, was the case in Indiana. Direct relief was liquidated as fast as the work program was expanded. There was little change in personnel. Largely it was a question of adjusting to new methods, procedures, and policies.

But where the ERA administrators were not confirmed and where a new man was brought in, an entirely new organization was set up. New quarters and equipment were necessary—and for the most part new subordinate personnel. Under this arrangement the state ERA continued to exist until it could shift the relief rolls to the work program. In many cases some of its personnel (especially in the social work and finance divisions) was shifted to the new WPA organization. Thus, some degree of continuity was achieved but it was never entirely peaceful and occasionally it was extremely bitter.

PWA for the most part escaped criticism so far as politics were concerned; but PWA was in a peculiar position. In the first place, most of the state directors were appointed on probation as acting state directors. Only gradually were their appointments submitted to Congress. Leaking in as they did, and are still doing, there was less chance of wholesale control by the Senate. Furthermore, PWA has closer control of subordinate appointments than has WPA. WPA is really decentralized and much responsibility is placed on the state administrator; but PWA is only partially decentralized. The WPA state administrator is responsible for his entire organization; while the PWA act-

ing state director has control of only one-fourth of the PWA state office since the other chiefs (inspection, investigation and finance) deal directly with Washington. This makes for delay, as the municipalities know, but it also makes for closer supervision from Washington.

PROGRESS AND PEAKS

With the organization and procedures determined, the work program began to move forward. The first agency to reach its peak of employment was the CCC, with 594,000 enrollees in the last week of August, 1935. Then came the Navy Department with 18,000 men employed in the third week of January, 1936. WPA, as well as the program as a whole, reached a peak in the last week of February. At this time 3,850,000 persons were at work, of which 3,036,000 (78.9 per cent) were on WPA. This was followed by a decline in the WPA rolls during the spring as the federal agencies, due to more favorable weather, picked up. The War Department programs were at a high mark with 56,000 men employed at the end of March. Next came the Resettlement Administration with 70,000 employed at the end of April, exclusive of the rural rehabilitation program.

This was followed by the programs of the Department of Agriculture, which were highest at the end of May with 72,000 at work. By the middle of July the WPA rolls had been reduced to 2,233,000 persons, and they would have gone even lower had not the drought caused them to rise in the latter part of July and in August.

The last to reach their peaks were the Bureau of Public Roads, which did not reach its maximum employment until the end of July, 1936, with 239,000 on its payrolls, and PWA which was not at full speed until the middle of August when it had 176,000 men at work.¹⁰

¹⁰Works Progress Administration, *Report on Progress of the Works Program*, October 15, 1936, p. 91. Figures for August, 1936.

ANALYSIS OF THE EMPLOYMENT ROLLS

Analysis of the employment rolls indicates that the great mass of those on relief were among the unskilled: 75.8 per cent for WPA, 54.4 per cent for all other agencies, and 73.1 per cent for the program as a whole. It is interesting to note here that WPA was indeed a fill-in agency. Other agencies had the pick of the available labor, and WPA was left to care for those no one else could use. By and large, those among the unskilled were the least capable among the unemployed. Due to loss of morale and ability, advancing age, malnutrition and illness, many of these people might actually be classed as unemployables for few will ever have regular work in private employment again.

The next largest group were the white collar workers—professional and technical people and office workers. Again agencies other than WPA had the pick, 10.5 per cent of all their workers coming from this group. Only 9.2 per cent of those employed by WPA came from it, and for the program as a whole the figure is 9.3 per cent.

Among the skilled and semi-skilled the percentages were lower, but here again the federal agencies had the pick of the rolls, with 13.8 per cent of their workers skilled and 14.3 per cent semi-skilled. For WPA the figures are respectively 5.3 per cent and 4.8 per cent, and for the program as a whole, 6.3 per cent and 5.9 per cent. For supervisory personnel and foremen the figures are 4.8 per cent for WPA, 6.7 per cent for all other agencies and 5.1 per cent for the program as a whole.¹¹

The preponderance of unskilled workers among those on relief reacted upon the municipalities and determined the types of jobs which they could sponsor with any hope that they would fit into the work program as a whole. Here

again was cause for trouble and misunderstanding, for in the approval process the merits of a project had often to be subordinated to its capacity for taking men and women from relief rolls.

TYPES OF PROJECTS

With the majority of those on relief classified as unskilled, it is not surprising that the bulk of the projects under WPA involved construction and repair work. On WPA, highways, roads, and streets projects employed 35.8 per cent of all labor, public buildings 9.6 per cent, parks and other recreational facilities 10.2 per cent, sewer systems and other utilities 8.4 per cent, conservation 4.2 per cent, airports and other transportation 2.3 per cent, making a total of 70.5 per cent.

White collar projects employed 10.6 per cent of all WPA labor, goods projects (largely women's work) 12.7 per cent, and sanitation and health 3.1 per cent with the same figure for miscellaneous projects.¹²

These figures are as of August 15, 1936, and are the result of a gradual shift of emphasis which had been going on during the previous nine or ten months. In general white collar and women's projects, which were slow in starting, increased slightly in importance while a decline was noticeable in certain types of construction work, especially highways, roads, and streets.¹³

THE MUNICIPAL CREDIT SHEET

What, then, after eighteen months or so, have the municipalities gotten from the work program? Some trouble and plenty of headaches, of course, especially in the early days. But as these become less important it is possible to see some very substantial and tangible gains.

Most obvious are the projects them-

¹²Ibid, Table 6, p. 134. Figures for August 15, 1936.

¹³Ibid, Table 5, p. 133. Figures for August, 1936.

¹¹Ibid, Table 8, p. 136. Figures for March, 1936.

selves: schools, hospitals, bridges, roads, utilities, airports, and so on. Less obvious is the white collar work: research accomplished, records improved, successful plays produced, music made available to those who might ordinarily not hear it. And what of education? The results in this line are more impressive than is generally known. An informal survey published on December 13, 1936, shows that WPA is training more than all the colleges and universities in the country, having 1,324,144 students enrolled under 34,440 teachers. The following types of classes are being conducted: general adult, literacy, workers, vocational, parent education, nursery schools, freshman colleges, and correspondence study centers. More than five hundred thousand persons have been taught to read and write.¹⁴ This program would not be possible were it not for the close coöperation of local school units.

Less obvious still, but perhaps of more lasting importance than the actual projects, is the tremendous stimulation given by the relief and work programs of the federal government to state and local departments of public welfare. Responsibility for those in need of relief, previously the charge of state and local units, was assumed in 1933 by the federal government, for at that time there was no other solution to the problem. Generally speaking, few municipal and no state welfare departments were equipped as to personnel and funds to care for the steadily increasing numbers of those in need of general relief.

With the inauguration of the work program in the summer of 1935, those ineligible for work under the new plan were returned to state and local governments. They simply had to be cared for. On December 31, 1935, the FERA ceased officially to function but the

majority of the state ERA organizations remained active. In some states they were merged with the existing state departments of public welfare. In others the ERA became the nucleus around which a state welfare department was organized where none had existed before. In a few cases the two agencies existed side by side for a time and then merged. In a number of states a portion of the final FERA grant was used for the purpose of establishing state welfare departments. Whatever the circumstances, the regional staff of the FERA was at the service of the state departments to help, when requested, with whatever problems arose.

The result is that today in twenty-seven states there are welfare departments equipped to care for those in need of general relief. The effects of this stimulation cannot help but be felt on the municipal level.

An interesting example of the current expansion of state welfare activities can be seen in Virginia. The state department of public welfare has been in existence for many years. In 1922 the general assembly provided for the development of a unified and modernized system of poor relief and general welfare in the counties and cities. Although that legislation was permissive only and did not provide for state assistance, by March of 1936 twenty of the larger counties (out of a total of one hundred) and several cities had taken advantage of it.¹⁵

In the session of 1936 the general assembly appropriated \$925,000 for general relief during the following fiscal year.¹⁶ It was the first appropriation ever made by the state for relief. The purpose of the act, as explained by the state commissioner of public welfare, was "to stimulate interest and responsi-

¹⁴Works Progress Administration Release No. 4-1381, Dec. 13, 1936.

¹⁵*Public Welfare*, published monthly by the Virginia State Department of Public Welfare. March 1936, p. 4.

¹⁶H. B. 250, Acts of 1936.

bility in relief and welfare problems and to develop efficient, economical local services under state financial and administrative assistance."¹⁷

These funds were to be apportioned among the city and county welfare departments on the basis of population and on the condition that they be supplemented locally at least to the amount of 60 per cent of the grant. Not more than 10 per cent of the state contributions could be spent for administration, but there was no such limit on the local funds. The money was to be used, furthermore, for direct rather than for work relief.

Although the individual programs were to be initiated by the cities and counties, they were to be supervised by the state. Regulations were formulated,

therefore, concerning the selection and approval of personnel, uniform records, and accounts, and the scheduling of programs so as to take care of the need as it arose.¹⁸ Officially the program started on July 1, 1936. By October seventy-three counties and twenty cities were participating,¹⁹ and by December the number had increased to eighty-six counties and twenty-three of the twenty-four independent cities.

Similar trends may be seen in other states. With the advent of the social security program the work is progressing even faster than might have been the case. Responsibilities are increasing but so are the benefits, and the municipalities cannot help but receive a substantial part of them.

¹⁷*Public Welfare*, April 1936, p. 3.

¹⁸*Ibid*, April 1936, p. 3.

¹⁹*Ibid*, October 1936, p. 2.

PROGRESS UNDER THE SOCIAL SECURITY ACT

(Continued from Page 61)

ers in every agency and at every level. The development of practical and intelligent personnel standards and of objective methods of selecting appointees, the locating of competent workers and the provision of adequate funds for employing them—all these are problems which the states are already facing. The Social Security Board stands ready, upon their request, to make whatever information it has available to the states, and to give them its fullest coöperation.

In addition, there also remains the necessity of maintaining an informed and intelligent public opinion. The popular mandate under which the social security act was proposed and passed leaves no doubt that the American people have given their wholehearted support to the development of social security measures. But if their support is to keep pace with real problems and current needs, public education must continue to be an important part of the whole program.

Growth and change are inherent in

the social security act, as in every effort toward human progress through social legislation. The act itself provides for future modification by charging the Social Security Board with the duty of studying its operation and related questions, and of recommending to Congress such changes as may seem most likely to promote economic security. The Board regards this as one of its most important responsibilities, and during the past year it has assembled a great deal of information relating to it. Such recommendations as it may make from time to time will be based on the combined findings of its researches and of its practical experience. No one knows better than those who are administering it the limitations of the act; but they also recognize that the program has by no means reached its full potentialities within the present framework. A genuine spirit of coöperation and a real understanding of the purposes and problems of social legislation have characterized the work of the first year. This attitude on the part of federal, state, and local officials is an encouraging indication of its future direction.

The Irish plan of city management an adaptation of the American managerial system to the conditions of Irish local government

The City Manager Plan in the Saorstát Éireann

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THE Irish city manager plan is not an exact duplicate of the American managerial system. In form, it has fundamental differences from the American plan; in operation, the two are not so far apart. The chief difference lies in the fact that in America the city councils can appoint and remove managers, whereas in Saorstát Éireann [Irish Free State] the managers are really appointed by central authority and can be removed only with the consent of the minister for local government and public health. In the United States the manager plan developed for the most part by local option either under general state laws or municipal home rule. In Saorstát Éireann the Oireachtas or parliament has passed special managerial acts for the individual cities. This divergence in procedure is perhaps more superficial than profound. The Irish manager plan was first applied to the county borough of Cork in 1929, after certain leading citizens of Cork had made representations in its favor to the department for local government and public health. In the extension of the plan to other cities, the same general pattern has been followed in the various special acts.

The passage of the Cork city management act in 1929 was the formal inception of the movement. This act was largely the work of Mr. J. J. Horgan of Cork, of General Richard Mulcahy

(then minister for local government), and of Mr. E. P. McCarron, secretary of the department of local government and public health. At the time Cork was under the control of a single commissioner appointed by central authority. Since the act established a local council with reserved functions, it was a restoration within limits of local self-government. Philip Monahan, the commissioner, was named as city manager by the act, and has remained as manager to date.

In 1930 an act was passed by the Oireachtas to extend the managerial plan to the city (county borough) of Dublin and to the borough of Dun Laoghaire. Dublin was at the time under the control of three centrally appointed commissioners. Dun Laoghaire was a new corporation created under the terms of the act by the amalgamation of certain existing urban districts in the greater Dublin area. At the time the Cumann na nGaedheal (Cosgrave) party was in power and was prepared to risk defeat in the Dail on the issue. The Fianna Fail party (de Valera) opposed the managerial system, partly because it did not allow the respective corporation councils to select the managers. Nevertheless, the act was passed, and two more manager cities were added to the roster. Later, in 1934, after the Fianna Fail party had been in power for two years, the same general plan of manager

government was extended to the county borough of Limerick. At the present time there seems to be no substantial disagreement between the two major parties over the managerial system. This augurs well for its continuance and possible extension.

COUNTIES AND THE MANAGER PLAN

The Irish administrative counties have not thus far been brought under the manager plan. In the administrative counties opinion is divided on the issue. The Fianna Fail delegates, assembled for the annual Ard-Fheis of the party in 1936, passed a resolution deploring the policy of the government to eliminate local self-government. The greatest strength of the Fianna Fail party is in the rural areas. This resolution reflected, in large measure, rural opposition to the extension of the manager plan to the administrative counties. The managers are centrally appointed in the Saorstát. This is also true of all important local administrative officers. At the present time, however, locally elected county councils are the chief agents in controlling the county officers. Under the manager plan they would lose this authority to centrally appointed managers. From these facts arises the talk about local self-government; on the other hand, this sentiment is not as intense in Saorstát Eireann as in the United States. In the Saorstát the traditions run to central control, whereas in America the traditions are on the side of local self-government.

Opposition to the manager plan for administrative counties stems from motives similar to those which prompt rural opposition in America. There is the natural tendency for the county power to supervise the administrative officers and to oppose a centrally appointed manager with administrative authority. Some might say it is merely a desire to continue village-pump politics councils to resent a diminution of their

in county councils; others might say that it is a sincere desire to retain a larger measure of local autonomy. The answer lies somewhere between such extreme views, and, in my judgment, leans to the former rather than to the latter.

One of the greatest problems in the immediate application of the manager idea to the twenty-six administrative counties in Saorstát Eireann, would be the probable lack of an adequate supply of first-rate managers. One can create a managerial system overnight by law and on paper, but the training of managers and the use of new and better administrative techniques are not accomplished so quickly. This, however, is a technical not a political difficulty. It is the political problem which is paramount in this issue. Any party which imposed the managerial system upon the administrative counties in the face of any considerable body of rural opposition might in the absence of other burning issues encounter serious defections at an ensuing general election. The Fianna Fail party (now in power) in view of its strength in rural areas must treat the subject of managers for administrative counties with circumspection.

CENTRAL CONTROL OVER LOCAL APPOINTMENTS

After the establishment of the Saorstát Eireann there were charges that bribery and favoritism were being employed in filling vacancies in local administrative posts. The growth of a general spoils system in local units was a possibility. As a consequence, in 1926, the Cosgrave government provided for a central body known as the local appointments commission named by the executive council of Saorstát Eireann to recommend candidates for city, county, urban district, and other local offices. The procedure followed is that of setting up a selection board appointed by the local appointments commissioners which passes on the candidates for a

specific administrative post in a local unit. Candidates appear before these boards for oral interviews, and selections are made on the basis of their training and experience and their respective showings in the oral interview. The candidate chosen by the selection board is formally recommended by the local appointments commissioners. The local council has no other alternative but to accept the candidate so recommended.

The general practice has been to make only one recommendation for each post, although for a short period the de Valera government tried a policy of suggesting three names. This was abandoned when some of the candidates undertook to canvass the local councils. In the case of temporary appointments, and in certain instances in which the minister permits a local authority to promote a subordinate official to a vacant administrative post, the machinery of the local appointments commission is not set in motion.

When the manager plan was developed in the Saorstat Eireann, the office of manager was fitted into this scheme of central control over local appointments. Therein lies the fundamental difference between the American and the Irish city manager systems. The Irish city manager is recommended to the corporation by the local appointments commission. He holds office until he dies, retires, or is removed by the council with the consent of the minister for local government and public health.

RESPECTIVE POWERS OF COUNCILS AND MANAGERS

The corporation councils are elected by P. R. [proportional representation]. Dublin has a council of thirty-five members; Dun Laoghaire, one of fifteen members; Cork, twenty-one; and Limerick, fifteen. In Dublin the city is divided into five electoral areas, but in the other cities election of the council at

large is the rule. In Cork seven members are elected each year; elsewhere the entire council is elected every three years. The elections are held on a non-partisan basis. Nevertheless, the major national parties go to some lengths in informing the voters of their respective candidates in local elections. National party lines inevitably appear in the city councils, and some attempts are made to use the councils as sounding-boards on national issues. Party lines appear in such matters as the selection of lord mayors and of the members to serve on public bodies. On the other hand, many of the decisions of the councils do not entail party strife. Housing, for example, is a major activity of the local units. All parties support the existing efforts to rehouse the people of the slums.

The powers allotted to the councils are described by the various acts as reserved functions. The most important of these are the powers of the councils to make any rate for taxation; to borrow money; and to make, amend, or revoke any by-law. Authority is also reserved to the councils to promote or oppose legislation, to prosecute and defend in certain legal proceedings, to appoint the members of public bodies, to select the lord mayor or chairman as the case may be, to fix the salary of the lord mayor or chairman, and to apply to the minister for local government for an extension of the city boundaries.

The basic powers and duties of the manager are generally the same throughout the various acts. He has power to supervise the administrative officers and employees of the corporation. (However, the officers are those who have been recommended by the local appointments commission and they may not be removed without the sanction of the minister for local government.) The manager can make contracts for and on behalf of the corporation. He attends the council meetings, renders reports,

and gives advice, but does not vote. It is his duty to advise the council as to the exercise of its reserved functions, to furnish information, and to make a monthly report of the city's financial position. The council may require the manager to prepare and submit plans, specifications, and estimates of cost for the execution of projects within the powers of the corporation. The manager is authorized to act only by signed order.

Except in so far as the minister's consent is required for a specific act, the manager has complete control over administrative operations. It is his duty to administer the corporation within the statutes and by-laws. His position as an administrator is a very strong one. He cannot be removed by the council on political grounds, unless the minister for local government should consent to play the same game—an unlikely contingency. Mr. Philip Monahan began service as manager of Cork in 1929, and still serves in that capacity. Mr. Gerald J. Sherlock was manager of Dublin from 1930 to the time of his retirement in 1936. Mr. Patrick J. Herman has been manager of Dun Laoghaire since 1930. The salaries of the managers are determined by the minister from time to time, so that a manager's independence cannot be undermined by local tinkering with his remuneration.

COUNCIL-MANAGER RELATIONS

In view of the disjointed legal relations between the councils and managers, a remarkable degree of coördination has existed in practice. The managers have shown a disposition to keep the peace with the councils. Oftentimes they have consulted the councillors about administrative matters clearly within the competence of the managerial office. A good deal of give-and-take has resulted from informal contacts, individual representations, deputations, and committee meetings. The managers

have sought, for the most part, to listen to, and to persuade, the councils rather than to coerce them by emphasizing the legal separation of powers. When, however, a council oversteps the bounds of its authority and seeks positively to interfere with a managerial function, the manager can retreat within his legal redoubts.

For example, late in November, 1936, the borough council of Dun Laoghaire met in special session to consider the manager's administration of the small dwellings acquisition acts. The law agent, who likewise with the manager attends council meetings, informed the councillors on this occasion that they had no power to interfere with a function which was purely managerial. The chairman ruled the motion under consideration out of order. With the manager and other officials he left the council meeting. On the other hand, in considering motions which members have advanced, the various councils often debate administrative activities which are in law purely managerial. This advice or criticism may be for public consumption. If it is well founded, the manager may alter his administrative policies accordingly.

The council has the basic power of striking the rate for taxation. General agreement between the managers and the councils over rates has been the rule. The manager's estimates of the necessary funds for each fiscal year suggest the necessary rate. In Dublin and Dun Laoghaire there has been a general acquiescence by the councils in the rates proposed by the managers. In Limerick the plan has not been long in operation, but there exists at this writing a close coöperation between manager and council in financial as well as other matters. In Cork a notable exception took place in 1936 when the council made a substantial reduction in the rates proposed by the manager. When a council proposes to make a change in the manager's

estimates, the manager may agree or object thereto. If the manager objects the council cannot effectuate the change until a second meeting is held after a lapse of two weeks.

In the making, amending, or revoking of any by-law it is obvious that the council would not proceed without advice from the manager and the administrative experts concerned. The council would have the final word, but it would likely grow out of the advice and assistance of the administrative staff.

The council likewise has the power to borrow money. The advice of the manager as to necessary borrowings is tendered to the council. Whether or not the council's approval is a mere formality depends on the specific project for which a loan is sought and the existing relations between manager and council. Normally managerial proposals for the incurring of debt have been foreseen and discussed in advance of their formal submission to the council. The general purposes committee of the council will report to that body on the merits of and necessity for the loan. However, the machinery does not always work without friction. A recent request of the manager in Cork for the borrowing of approximately £15,000 to take care of unforeseen expenses in the building of a swimming pool and some other deficits, was described by one councillor as a bombshell. The council appointed a special committee to report on the matter, and the manager entered some self-criticism in the record because of his failure to acquaint the council at an earlier date with the actual financial condition.

RESULTS OF THE PLAN

The results of the manager plan have been an increase in administrative efficiency and a development of public works. Cork has, for example, a new city hall and public auditorium, a new

swimming pool, a system of electric lighting supplanting gas lights, and extensive housing developments. Public administration has gone forward, although the manager and the council have not always been in agreement. In fact, the Cork city councillors have not always been in agreement among themselves. During the year of 1936 on seven different occasions the effort of the council to elect a lord mayor resulted in a deadlock.

In Dun Laoghaire improvements have been made in the road system, and plans are under way for an extensive development of the sea front. Some five hundred new dwellings to rehouse slum dwellers have been built. Library services in the corporate area have been reorganized. The borough is using the town and regional planning act of 1934, for example, to prevent building operations contrary to plans for street-widening and to control the materials, color, and design of buildings. In 1936 Mr. Manning Robertson prepared a report on the history, scenery, and development of Dun Laoghaire. Prepared in connection with a town planning survey, this report is typical of the progressive spirit which pervades the borough under professional management. The manager of Dun Laoghaire presented evidence before the Greater Dublin Tribunal of 1936 in favor of a large extension of the corporate area, so that city services might be brought to the suburban hinterland and spaces acquired for parks and housing.

This same type of planning for the future appears also in Limerick under city management. There the manager has planned the rehousing of the people of the slums in areas consistent with the natural growth of the city. He has already foreseen the necessity of the council's making an appeal for an extension of the corporate boundaries, in

order that the city's development may not be thwarted by artificial lines. It is this element of planning for the future as distinct from year-to-year plodding through administrative routine which distinguishes city management in the Irish Free State.

In Dublin, Manager Sherlock reported in 1936 that 4,912 new dwellings had been completed since 1930. An additional 2,690 dwellings were under construction or arranged for. The city's public lighting system had been increased by twelve thousand lamps. Improvements had also been made in roads and bridges, parks, playgrounds, fire equipment, and health administration. The program of development entailed the borrowing of £4,000,000 but the assurance brought by skilled management kept the credit of the city sound.

Results under city management in Saorstát Éireann should not be compared with American achievements without substantial reservations. The Irish city manager deals with a civilization which is much less elastic. In it, new and extensive public works are undertaken only after great deliberation and in the face of difficult labor problems. The housing program, for instance, has been handicapped in recent years by the shortage of contractors and skilled laborers. Irish city managers have inherited century-old problems, such as the slums. These difficult problems cannot be eradicated in a few years, however great the administrative effort and the financial sacrifice. It is to the credit of the Irish city managers, the public spirit of city councils, and the coöperation of the department of local government, that the respective cities are gradually solving complex issues in public administration

—issues which have long been neglected or inadequately treated.

CONCLUSIONS

In the United States it is proper to refer to the city manager system as the "council-manager" plan. This official title serves in a way to interpret the essence of the system. An appropriate, official title for the Irish scheme would be the "manager-council" plan. The Irish manager-council plan can be best understood in the light of traditions of permanent tenure for city servants and central control over local government; and administrative experience in the troubled twenties of this century. The relation of the present managerial system to the traditions is apparent enough. The managerial post exemplifies both permanent tenure and central control. The importance of events in the 1920's needs some explanation. Under English rule corporation councils had been unwieldy affairs using the committee system to control administrative operations. Dublin, for instance, had a council of eighty members. After the establishment of Saorstát Éireann, the minister of local government dissolved certain corporations and placed a commissioner or commissioners in charge of municipal affairs. This explains why, as was said earlier, the Irish manager plan is not an exact duplicate of the American managerial system. It is an adaptation of the American plan to the conditions of Irish local government and a fusion of the old corporation councils and the administrative commissioners used by Saorstát Éireann in the twenties. The Irish manager-council plan works well amid the conditions for which it was devised, and that is high tribute to any institution in public administration.

Nebraska's Nonpartisan Unicameral Legislature

Members of new body are rather better equipped in native ability, educational training, and legislative experience than their predecessors

L. E. AYLSWORTH

University of Nebraska

NEBRASKA is conducting a legislative clinic or experiment station of great significance, primarily to herself but also to her sister states. The first step in the experiment, worked out in 1934, was to secure popular approval of a constitutional amendment providing for a break with an age-old tradition by substituting a one-house legislature of from 30 to 50 members for a two-house body of 133 members. The second step, just recently completed, was the selection of the charter members of this unicameral body by nonpartisan, instead of the former partisan, ballot. The third step, is that of the organization and actual working of the body as a legislative agency.

The outcome of this third and final step, the vital test of the new form, is very largely dependent upon the operation of the second in the selection of the membership of this unique body. For personnel is of primary importance in the legislature as well as other branches of government, and never more so than now. The one-house legislature, like all governmental machinery, is neither self-starting nor self-operating, though it may be a more effective legislative instrument. Its efficient working and the quality of the legislative product will depend primarily on the character and competence of the legislators elected.

On the other hand legislative machinery—form, organization, methods—

exerts a twofold influence. First, it vitally affects the efficiency of legislators and the quality of their product. Second, it may serve either to attract or to repel competent men and women. Probably the highest test of any system or organ of government is the competence and public spirit of the men and women it regularly attracts and holds in its service.

This study and analysis of the personnel of the new legislature aims to discover two main things as far as possible. First, what influence, if any, was exerted on candidacy for the legislature, and the choice of members, by the nonpartisan system of nomination and election, the more than doubled salary, and the focusing of the voter's attention on the selection of one member of only one house? Second, what are the qualifications of the legislators chosen for the task ahead of them?

The number of candidates attracted was unusually large, probably larger than ever before per district and position to be filled. No fewer than 283 aspirants filed and ran for nomination in the primary election. The number per district ranged all the way from three in the first to twenty in the tenth in Omaha. The average was 6.6 for each of the 43 districts and members to be elected. In the last six elections of the two-house legislature, the highest average per senatorial district

for any election was 4.4 and for all six was 3.65. The highest average per representative district for any election was five and for all six was 3.77. The average per district in the nonpartisan one-house election exceeded these by over 75 per cent. The greatest outpouring of aspirants occurred in Douglas County where 73 filed in the primary, an average of over ten for each of the seven districts. Lancaster County fell below the average with only thirteen candidates in all three districts.

Of the 283 candidates for nomination 122 had served in the legislature while 161 had not. Eighty-four members of the last legislature (22 senators and 62 representatives) and 38 former members not in the 1935 legislature, ran for nomination.

In the primary election the voters showed a decided preference for candidates with legislative experience. Of 122 such candidates, 60, or 50 per cent, were nominated while only 26, or 16 per cent, of the 161 lacking such experience survived. Within the ranks of those who had served in the legislature, a decided preference was manifested for members of the last legislature over those who were not. Of the 38 prior members not in the last legislature only five, or 13 per cent hurdled the primary as compared with 55, or 65 per cent of the members of 1935. And as between the 84 members of the last legislature seeking nomination (22 senators and 62 representatives), senators were preferred over representatives, 18, or 82 per cent of the former, and only 37, or 60 per cent, of the latter, being nominated.

In the ensuing regular election the voters continued to show the same tendencies as in the primary; first, to elect senators in preference to representatives; and second, to elect candidates who had served in the legislature in preference to those who had not. Of

the 60 nominees who had served in the legislature 32, or 53 per cent, were elected, while of the 26 who had not served, only 11, or 42 per cent won out. Of the 18 senators and 37 representatives in the last legislature who were nominated, 13, or 72 per cent, of the senators, but only 15, or 40 per cent of the representatives, were approved by a majority of the voters.

NO WOMEN MEMBERS

Only seven women ran for nomination, two in one district, and one in each of five others. Of these three had been in the legislature and four had not. Two only of the seven, both of whom had served in the legislature, were nominated. Both were defeated in the regular election. Hence the new unicameral body will not have a woman member. This will be the first time since 1923 that the legislature has not had from one to three women members.

One colored member of the last legislature was renominated and re-elected despite the fears of the colored leaders of Omaha, voiced in the unicameral campaign, that a small one-house legislature, with larger legislative districts, would bar negroes from any representation.

The following tabulation presents a bird's-eye view of the filings and the results of both the primary and the regular election:

	Filed in Primary	Nominated	Elected
Senators last legislature	22	18	13
Representatives last legislature	62	37	15
Members not in last legislature	38	5	4
Total members	122	60	32
Non-members	161	26	11
Grand Total	283	86	43

PARTY AFFILIATIONS

Of the 86 candidates in the regular election, 45 were Democrats, 41 Republicans. In 22 districts both candidates affiliated with the same party. In 21 districts the two candidates affiliated with different parties. But eleven of these 21 districts were won by Republicans in this strongly Democratic year, also nine of the eleven new members. The nature and result of the contests in the 43 districts, from the point of view of party affiliation and the working of the nonpartisan system, is shown by the following tabulation:

Nature of contest	No. of Districts	Party Affiliation of Candidates		Election Results	
		Rep.	Dem.	Rep.	Dem.
Rep. vs. Rep.	10	20	0	10	0
Dem. vs. Dem.	12	0	24	0	12
Rep. vs. Dem.	21	21	21	11	10
	43	41	45	21	22

Thus the 43 legislators are as evenly divided as possible as to party affiliation, 21 Republicans to 22 Democrats. This result of the working of the nonpartisan method of choice presents a striking contrast to that of the partisan method of the last two elections. The 1934 election resulted in a legislature over two to one Democratic, and that of 1932 in a body Democratic by over five to one, as shown by the following tabulation:

	Senate	House	Total
1934 Democratic	22	68	90
Republican	11	32	43
1932 Democratic	31	81	112
Republican	2	19	21

Is there any reason to believe that party nomination and election would not have produced a similarly different result this year?

EDUCATION AND OCCUPATIONS

At least fifteen, or over one-third, of the 43 members, are college graduates,

nine of them of the University of Nebraska. Several are graduates of both an arts college and college of law. Seventeen others, after completing high school, have attended college for a time, ten of them some college or school of the State University. Only about one-fourth have had no college training whatever. The academic training of three or four of these, about one-twelfth, ended with graduation from high school, while that of the rest, about one-sixth, did not extend beyond the common school. Thus the educational qualifications of the members average unusually high in comparison with those of other legislatures.

Three occupations, mainly, are represented in the new legislature: farming, law, and business. The farmers number eighteen or 42 per cent. In the last legislature farmers constituted 42 per cent of the lower house, 33 per cent of the senate, and 40 per cent of the entire membership of 133. Since 1900 the representation in the legislature of the farming industry in its various forms has varied all the way from a low of 35, or 26.3 per cent in 1915, to a high of 57, or 42.85 per cent in 1931. Hence the representation of this occupation in the unicameral legislature is greater than in the last legislature, and considerably greater than the average for all legislatures since 1900.

Ten members, or 23 per cent, are practicing lawyers, whereas they constituted only 18 per cent and 14 per cent respectively of the last senate and house, and only 15 per cent of the entire legislature. Other members have had legal training, though now engaged in other occupations. Of the eleven new members, the large proportion of five have been admitted to the bar, and four are engaged in active practice.

Another group of ten members are engaged in business of some kind—merchandising, banking, insurance, etc. A

physician, a veterinarian, a football coach (also member of the bar), and two clerks complete the roster.

FORMER LEGISLATIVE EXPERIENCE

Thirty-two members of the first one-house body have had legislative experience varying from one short special session to all the sessions of twelve legislatures, while eleven, or only a fraction over a fourth, have had none. Three members, appointed to fill vacancies, have had experience in only one short special session. Sixteen members have served one term, that of the last legislature with its two sessions. Thirteen members have served more than one term. The average length of service for these thirteen veterans is almost five terms, that for all 32 who have served is over 2.5 terms, and that for the entire 43 is 1.9 terms. Those general service averages are higher than those of either of the last two legislatures. The proportion of members who have seen two or more terms of service, nearly one-third, is distinctly higher. Moreover, they have all either risen to positions of leadership or held outstanding committee chairmanships or served on various important committees.

What generalizations may one make from the facts here presented? First, the nonpartisan system of choice produced a strikingly different result as to the political complexion of the legislature. In a strongly democratic election year, the legislature is not partisanly lopsided as heretofore, but evenly divided. Candidates who lived up to the spirit of the nonpartisan system were usually preferred by the voters over these who did not. Candidates who had served in the legislature were not turned down for purely party reasons. Second, the one-house legislature of 43 proves to be representative. Despite dire predictions of opponents of the unicameral form, the farmer is certainly just as fully represented as in past legislatures.

In ability and experience he may prove to be even better represented. Third, there was no striking change in the type or occupational grouping of the members elected. In the main, the voters preferred and chose those who have been members. The members elected for the first time do not stand out as a distinctly new or higher type of legislator, though the percentage of those of college and technical training is higher than usual. Any appreciable improvement in personnel, therefore, will probably come through better selection from among the usual type, rather than from the attraction and election of an entirely new type of member. This is the natural and to-be-expected result. Only visionaries expected the change to one house of 43 members, with doubled salary and nonpartisan choice, would result in any revolutionary transformation in personnel. Moreover, such a revolutionary change is probably not desirable, and certainly not necessary to secure much better results. Fourth, it would appear that the charter members of Nebraska's first one-house legislature are rather better equipped in native ability, educational training, and legislative experience for the task facing them than those of any legislature in many years.

THE LEGISLATURE ORGANIZES

In organizing for their task of law-making the members of the new body were faced with two conditions wholly new to them—nonpartisanship and unicameralism. Two problems had to be worked out at the start in harmony with these new ideas: one, the adoption of an initial method of selecting officers and constituting committees; the other, the formulation of a permanent set of rules providing for officers, committees, and legislative procedure.

The use of the traditional party caucus was outlawed. There is no evidence of any resort to it. Even the suggestion of a preliminary nonpartisan

caucus was rejected. Nominations for speaker and other officers were made by informal ballot. Then followed election by ballot, either unanimously or by vote on the three highest. Later this procedure was embodied in the permanent rules.

A very complete and modern set of rules, carefully prepared in advance with the aid of parliamentary experts by a member of wide legislative experience, has been adopted with but few changes. The rules are especially designed to promote efficiency, publicity, deliberation, and responsibility.

The number of standing committees is fixed at sixteen instead of 68 as in the last legislature (32 in the senate and 36 in the house). They vary in size from five to eleven and provide for a total of only 124 committee assignments. Thus, one-fourth of the members are enabled to concentrate on the work of only two committees each and nearly all the rest on that of only three committees each.

As heretofore in Nebraska, committees are elected by the legislative body on recommendation of a broadly representative committee on committees of eleven members chosen by it—the chairman at large and two members from each of the five congressional districts.

A schedule of committee meetings has been so arranged that not a single member is faced with a conflict. Each committee is to keep a record of its proceedings. Any two members may demand a record vote on any bill or amendment which is to be included in the committee report and entered in the daily legislative journal. Final action on any bill is to be taken only at a regularly scheduled meeting, and not until after a public hearing of which five days' notice has been given.

A proposal to abolish the committee of the whole, commonly used in Ne-

braska, was rejected. But to fix responsibility the rules provide that it shall keep a record of its proceedings and upon the request of any member a yeay and nay vote shall be taken on any question and be included in the daily journal.

To guard against too hasty legislation it is provided that no bill shall be placed on third reading and final passage until five legislative days after its initial reference to the committee on enrollment and review, nor until two legislative days after its reference to the third reading file. Printed copies of the bill in final form for passage must be on the members' desks for one legislative day before the final vote is taken.

The constitutional limit of twenty days for the introduction of bills was purposely omitted by the framers of the unicameral amendment. The new rules re-establish a limit, but of thirty legislative days, except upon recommendation of the governor. At the expiration of the fifteenth day only 71 bills have been introduced, in contrast to about 400 in the same time two years ago. Many more will be introduced during the second fifteen days. It is not expected, however, that the total will exceed 300 to 350 as compared with a total of 1,039 (363 in the senate and 676 in the house) two years ago.

The spirit of nonpartisanship, so manifest in the election of the members, has been studiously observed by them in the work of organization. The dean of the body in point of service, a Republican, received a majority vote for speaker on the informal ballot. A Democrat, second in length of service, was unanimously elected chairman of the very important committee on committees. The legislators from each of the five congressional districts nominated two of their number to be members of this committee. The Republicans had

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A Home Rule Charter for Nassau County, New York

County executive, modern budget system, departments of planning and assessing, and consolidation of welfare agencies among advantages secured under new charter

ALFRED DOUGLAS OLENA

Nassau County Commission on Governmental Revision

THIS statement is a historical review of the charter movement in Nassau County, New York, and a resume of the campaign for its adoption, rather than an argumentative discourse as to why the new charter meets the formula of ideal county government.

Nassau County really started its educational campaign for a charter as far back as 1912. In that year the Nassau Association was organized for the purpose of studying our county government and recommending any changes deemed necessary. This was a voluntary association of some of our prominent civic-minded citizens who made a thorough study of the situation and reported that, because of the provisions of the state constitution and the general state laws, no particular revision of the county government should be attempted. The Nassau Association, however, made two very important contributions. First, it planted in our people the seed of governmental change consciousness; secondly, it was the beginning of a movement in Nassau County in 1914 in coöperation with a commission appointed by Westchester County, which led to the adoption of the amendments to sections 26 and 27 of article 3 of the New York State constitution known as the Westchester-Nassau amendment of 1921. This amendment allowed a reorganization of county government in these two counties, although subsequent events

have shown that it was perhaps too restricted.

In December 1921, pursuant to a state law, the board of supervisors of Nassau County appointed a commission, known as the Pettit Commission, to study the county government and make recommendations. The Pettit charter was drawn pursuant to the Westchester-Nassau amendment mentioned above. This charter bill was passed by the legislature in 1923, but failed in 1925 on referendum.

Various groups of citizens and civic organizations continued their efforts to modernize our county government, and in 1933 a voluntary, unofficial committee was organized, usually known as the Cuff Bipartisan Commission. It drafted a charter which passed the legislature in 1935, but upon submission to the voters in the fall of that year was rejected.

The continued agitation for changes in local government was supplemented by the state-wide propaganda of various governors of New York State, which gradually crystallized public interest in this subject. The result was that our board of supervisors in February 1934 took a most logical and necessary step in authorizing an impartial and detailed survey to be made of the Nassau County government and its various departments as well as of the constituent governmental units of the county. This

survey was made by the Consultant Service of the National Municipal League which should be complimented upon the thoroughness, helpfulness, and intelligence of its report filed with the board of supervisors in the fall of 1934.

The board of supervisors on December 31, 1934, believing that the public had now become sufficiently interested in possible changes in county government, appointed the present so-called Nassau County Commission on Governmental Revision in accordance with the state law, with power to study local governmental conditions and recommend changes.

Meanwhile, the Fearon amendment to section 26 of article 3 of the state constitution had been passed by the state legislature, becoming effective as a result of the November election of 1935. This amendment greatly extended the powers to reorganize county government, allowed the abolition of constitutional offices, and the transferring and consolidation of functions of towns, cities, villages and special districts, and the duties of county officers, which heretofore were not legally possible in the opinion of many.

The Nassau County Commission on Governmental Revision consists of seventeen representative citizens selected by the board of supervisors from all sections of the county. Although there were members with both Republican and Democratic affiliations, none could be classed as politicians in the common acceptance of that term. The commission organized early in January 1935, chose its officers, and adopted the general policy which it was to pursue.

At the outset the commission decided to hold well advertised public hearings to which all civic organizations and county, town, city, village, and other governmental officers, past and present, were invited. These hearings were held and the opinions ex-

pressed there considered before any final discussion or determination of the provisions of the charter was attempted.

WORK OF THE COMMISSION

The commission studied the reports of the previous charter commissions, the county survey, and the governmental and historical associations of the various units in the county. Special committees of the commission were appointed to draft certain sections of the charter such as county assessing, planning, public works, condemnation, and the creation of a new district court. The work of the special committees was reviewed and acted upon by the commission as a whole.

The commission was given absolute freedom of action and wholehearted support financially and otherwise by the board of supervisors. All its members served without pay. The Consultant Service of the National Municipal League was retained in an advisory capacity.

Before outlining the essential provisions of the charter, I think it would be best to set forth a brief history of the county and the problems with which the commission was faced.

Nassau County contains three towns: Hempstead, Oyster Bay, and North Hempstead. It is the only county in the state having so few towns, and Hempstead and Oyster Bay are two of the oldest towns in the United States. In fact, they were in existence and functioning more than one hundred years before the American Revolution.

Originally the towns furnished the only government that the people had in that section of Long Island, extending from Long Island Sound on the north to the Atlantic Ocean on the south. The county originally had no other function except to furnish a court and a law enforcing officer known as the sheriff. The county of Nassau, created in 1899, was originally the easterly part of the coun-

ty of Queens. As the population increased in its towns, villages and cities were created but leaving a large unincorporated area governed by the towns. Modern improvements such as sidewalks, electric lights, and sewers were supplied by special improvement districts in these unincorporated areas. The areas covered by these improvement districts in many cases overlap each other and also overlap village and city boundaries. Each local improvement is paid for by bonds for the payment of which taxes are levied on the property within such special improvement district. In addition to the three towns and sixty-five incorporated villages, there are two cities of the third class, sixty-five school districts each with its separate bonded debt, and about 174 special improvement districts. In other words, the commission was dealing with three historic towns for which the people had special affections and particular associations and which furnish good government in the unincorporated sections, and also 306 other separate governmental units in addition to the county itself, a total of about 310 units of government.

Nassau County, adjoining New York City on the east, according to the United States census reports, has been during the last fifteen years and is today the fastest growing county in New York State, perhaps in the entire United States. Its population has increased from 55,000 in 1900 to over 400,000, estimated, in 1936. The assessed value of its real estate for tax purposes today approximates one billion dollars. The three towns have had their separate assessors who employ different bases of valuation. Some sections of the county are so densely populated as to be urban in character, some suburban, and still other parts continue rural.

CHARTER PROVISIONS

The charter was drawn under the provisions of the Fearon amendment. Gen-

erally speaking, it modernizes the county government. In addition to making many minor changes and improvements to increase efficiency and make for economy of operation, some of its more important features are the following:

1. It furnishes better county home rule by taking away from the legislature the right to interfere with many of the local county affairs without a referendum.

2. It creates a county executive, elected at large. The responsibility for appointments of heads of departments, boards, and commissions, excepting those few elected, is placed upon the county executive subject to confirmation by the board of supervisors. The county executive is the administrative head of the county and the presiding officer of the board of supervisors. He has a vote only in case of a tie in the board.

3. The board of supervisors continues as the legislative body. It is composed of six representatives elected by the three towns and two cities, with its former administrative powers transferred to the county executive. The board of supervisors makes the laws and raises and appropriates all the money for the county. Heretofore the two supervisors from the town of Hempstead, because of its population and high property valuation, had more votes in the board than those from the other two towns and two cities combined, but the charter now provides that no town shall have more than 50 per cent of the total votes in the board.

4. A modern budget system is created with adequate provision for public hearings and publicity before adoption of a proposed budget by the board of supervisors. The county executive has the power to veto, subject to overruling by a two-thirds vote of the board of supervisors, if any items in the budget are increased. The charter further

provides for mandatory administrative control of all expenditures and transfer of departmental appropriations by the executive.

5. It creates a county planning department to provide a plan for public highways and buildings and open spaces. Zoning is left to the towns, cities, and villages as at present, excepting within three hundred feet of the boundaries of adjoining towns, municipalities, and marginal waterways, where the consent of the county planning commission is required. This is to prevent dumping of public facilities by one community on another and to prevent planning or zoning in this area by local municipalities contrary to the county plan. Protection is also given to the unincorporated areas and to those municipalities which have no planning or zoning commission of their own by preventing an illegal subdivision of land or the creation of unconnected or inadequate streets.

6. The county comptroller, the county attorney, county clerk, sheriff, county judge, and surrogate are elected at large and their duties remain practically unchanged, except that the comptroller is given greater powers in the supervision and auditing of the accounts of special districts and generally in supervising the financial affairs of the county.

ASSESSMENT OF PROPERTY

7. A new department of assessment is created consisting of a county board of five assessors, two to be appointed by the town board of the most populous town and one each from the other towns, and the chairman to be elected at large by the county. The duty of the board of assessors is to assess all of the real property situated in the county and liable for taxation for state, county, town, school and special district purposes, leaving the assessment

for city and village purposes to the cities and villages themselves. The members of the board do not actually assess the property, but act through deputy assessors appointed by the chairman who are to be members of the civil service. They will work under rules and regulations adopted by the board of assessors as outlined in the charter. The county board of assessors sits as a board of appeals to adjust any inequalities and settle grievances. The result of this more scientific method of assessing property on a county-wide basis, with proper tax maps and modern scientific rules, is intended to obviate the present inequalities between the various towns and districts and to avoid the present confusion of properties in single ownership that overlap town lines, and also to abolish the present county board of equalization which is expensive, but which does not function properly.

8. The charter consolidates various welfare agencies in the county. It creates a county-wide department of health and for the first time creates an agency in Nassau County to dictate health measures and control the spread of disease. It provides for laboratories and clinics not now in existence. The state of New York, to encourage the creation of a county health department, agrees to pay one-half of the cost of operating the county health department.

COURTS MADE MODERN

9. Justices of the peace, relics of the earliest Colonial times, now have jurisdiction of civil cases up to two hundred dollars and also act as coroners. They are paid on both a fee and salary basis, and until the passage of the Fearon amendment as constitutional officers they could not be abolished. This charter abolishes the justices of the peace both as judicial officers and coroners. It creates the office of county

medical examiner to act as coroner and establishes a district court system with civil jurisdiction up to one thousand dollars and with criminal jurisdiction covering misdemeanors. It does not abolish the local village police judges. It limits their jurisdiction, however, to the enforcement of local village ordinances, excepting drunken driving traffic violations. Heretofore, on appeal from a justice of the peace decision, the county judge was compelled to try the case *de novo*, with the production of all necessary witnesses. This burden to the taxpayer has been abolished and appeals can now be taken directly to a higher court on printed or typewritten record. There is a chief judge elected at large in the county and six judges elected from the three towns in accordance with their population. The judges will rotate in the various districts in accordance with the schedule provided by the board of judges, who will also make rules for the conduct of the courts. A code of procedure was incorporated in the charter more from necessity than preference, but this code was taken practically entirely from the municipal court act of the city of New York which has been in use for many years and has been thoroughly tested and generally understood.

10. A department of public works of which the commissioner of public works will be the head, is created to take over the work now done by the county engineer. His powers are broader and more comprehensive than now existing. They include not only the construction, repair, and maintenance of county buildings and maintenance and operation of any water and sewage system and other public facilities which may come under the control of the county, but also the lighting of all county highways and the removal of snow from the county roads, whether or not such roads run through a city, village, or unincor-

porated area of the county. Upon the making of a comprehensive water, garbage, sewage, and drainage plan for the county, the public works department is given additional control over the construction, maintenance, and operation of these facilities.

The charter as drafted was presented on January 27, 1936, to the board of supervisors, who accepted it after a hearing. It was then presented to the assemblymen and senator representing Nassau County in the state legislature. The state constitution requires that such a bill be passed by the legislature, signed by the governor, and then referred to a referendum of the people of the county.

The bill passed the assembly unanimously almost immediately after its introduction, but it was blocked in the senate from February until June when it was finally passed unanimously and signed by Governor Lehman on June 5, 1936.

The commission knew from experience that a campaign of education was necessary if the charter was to be adopted at the polls. An educational committee of the commission was appointed which in fact acted as a campaign committee. Although the leader of the Republican party in Nassau County endorsed the work of the commission after it had been approved by the board of supervisors and gave his unselfish and constant support to the charter, both in the legislature and during the campaign for its adoption, nevertheless, the Republican party in Nassau County did not formally endorse the charter until the early part of October. The Democratic party in Nassau County never endorsed the charter, although the Democratic candidate for Congress and state senator and other leading Democrats announced their approval during the campaign. The leader of the Democratic party, however, about one week before election announced his disapproval of the char-

ter and advised the Democrats to vote against it.

CAMPAIGN OF EDUCATION

The educational committee of the commission used every means possible to disseminate information concerning the charter among the voters. They maintained an office and trained some forty or fifty speakers in addition to the members of the committee. Speakers for the charter were provided at meetings of civic organizations and political rallies wherever they were allowed. The board of supervisors coöperated with the commission in granting funds to print and distribute copies of the charter, a formal technical summary of its provisions, a short informal summary for the voters, together with other informative literature. There appeared in the forty-six newspapers throughout the county, both daily and weekly, editorials and news items in support of the charter, although a few papers opposed it. There were distributed between 500,000 and 600,000 pieces of literature. In most cases, this was done at meetings and from house to house and also at all railroad stations so as to contact the commuters who never attend

local meetings or read local newspapers.

A citizen of Long Beach, one of the two cities of the county, brought an action in the Supreme Court during the campaign, endeavoring to prevent a popular vote on the charter on the ground of its unconstitutionality. The commission was allowed to intervene on behalf of the board of elections and successfully defended the act in the lower and in the highest court of the state. It is an odd circumstance that Long Beach where the greatest opposition was expected and whose citizens were instrumental in bringing the litigation actually gave the charter a majority on election day—November 3, 1936.

Despite all we could do to educate the people there were more than 40 per cent of them who voted for President of the United States and congressman in Nassau County who failed to vote on the charter. The charter, however, received as large a percentage of votes as did the prevailing Republican candidates, all of whom were uniformly successful.

Elections under the new charter will be held in November 1937, and the charter will become operative January 1, 1938.

NEBRASKA'S LEGISLATURE

(Continued from Page 81)

a majority in four of the five districts, yet in every case one of the members nominated and elected is a Democrat. The committee is composed of seven Democrats and four Republicans, yet it gave 63 of the 124 committee positions to Republicans. The chairman

of five important standing committees, contrary to partisan usage, affiliate with the party of a minority of the committee's members.

Is any further evidence needed to show that partisanship, in the matter of organization at least where it has usually shown itself at its worst, was laid on the shelf?

The City Manager Steps Into An Emergency

Cincinnati's able manager meets flood catastrophe with well geared machinery and carefully chosen personnel

HENRY G. HODGES

University of Cincinnati

THE official weather bureau "flood stage" at Cincinnati is fifty-two feet. During the recent rise of the Ohio River, however, the city was not alarmed until January 18, when a river stage of fifty-four feet caused the newspapers to report, "Ohio River is Rising Again." This is nothing new for the Ohio, but it was the wrong time of the year, in the first place, and in the second, it was to reach an all-time high of 79.99 feet, at 6:00 A.M. on Tuesday, January 26. The story behind the disaster is naturally the rising water level:

RIVER STAGES AT NOON

January	18—54.0	feet
"	19—57.4	"
"	20—59.4	"
"	21—63.5	"
"	22—70.4	"
"	23—72.7	"
"	24—74.1	"
"	25—79.3	"
"	26—79.8	"
"	27—79.4	"
"	28—78.6	"
"	29—77.4	"
"	30—75.8	"
"	31—73.7	"

February 1—70.9 "

The former record of 71.1 feet, made in 1884, was passed three days before the recent peak was reached. The high mark in the serious flood of 1913 was 69.9 feet.

The superintendent of water guaranteed service up to 74 feet, and the local electric company about the same. It is perfectly clear, therefore, that in locating the present water-pumping facilities and electric generating plants, those responsible had good reasons to feel that these utilities would remain well above the highest flood stage. During the twenty-four hour interval between noon on the 24th and the 25th, when the rise was over five feet, both utilities ceased to function. The water works remained in operation a foot and a half above its promise, and the electric company still another foot, by banking with sand bags. With six days' warning, city hall was on an emergency basis Sunday morning, January 24, some hours before these services were discontinued. From then on, public service was on a twenty-four-hour basis.

There are several factors that kept anything like panic far from Cincinnati in this emergency. *First:* we have had floods before. *Second:* the Red Cross is continuously on the job as an emergency organization, with experience in expanding, coördinating, and getting supplies. *Third:* article III, section I of the Cincinnati charter provides: "In time of public danger or emergency, he [the mayor] may, with the consent of council, take command of the police, maintain order, and enforce the law." *Fourth:* the department of safety and

the municipal reference bureau finished, some ten days before the flood, an emergency code for Cincinnati, for presentation to council. The discussions necessary to the completion of this work, with the city manager and others interested, crystallized the best thought that experience had developed. Although the prospective code is lying in the law department preparatory to going to council, the benefit of its preparation has been apparent. *Fifth:* the type of personnel all down the line in the city's service, its everyday coöperation in action, and most important, the daily accepted coördination under the city manager, allows for the very rapid expansion and continued smooth running of the governmental machine.

City Manager C. A. Dykstra moved his headquarters to the public safety department, where a number of emergency telephone trunk lines were installed.

On Sunday, two days before the high-water day, Mayor Wilson appointed a central disaster relief committee of fourteen members, of which the city manager was made chairman. This committee included the chairman of the Red Cross, director of safety, director of the community chest, a city councilman, a county commissioner, and representatives of industry, fuel, food, light and power, street transportation, railroad transportation, business, and the medical profession. On Monday at a special session city council, under the section of the charter already quoted, granted practically dictatorial powers to the mayor, who immediately assigned the administration of these powers to the city manager. The administrative set-up to cope with the emergency was complete. The organization itself had been functioning for two days. A corps of well informed city hall employees was answering the thousands of questions

pouring in over telephone lines into the manager's office. Their replies were based on official bulletins and information that was centering in the same office. All bulletins were simultaneously given to the newspapers and the radio in order to keep down pressure on the phone service.

Warned by radio that discontinuance of water supply was imminent, citizens were enabled to store in bath tubs and other receptacles. The following day water was rationed by limiting the flow to two hours in the morning and two in the evening. Later, it was limited to an hour each evening. Lights were available in a large part of the city, with a limit of one to a family in addition to radio connection. Heat that depended on the water supply or electricity had to be discontinued in some instances.

ELECTRICITY BORROWED

Before the local electric company's generation was shut off, arrangements had been made to import current from outlying cities, sufficient to supply about 20% of the normal load. At the same time arrangements were being made by telephone with cities in Ohio, Indiana, and Illinois, for sending water on motor tank wagons. Portable tanks were gathered from other cities to supplement the local supply, and very soon water stations were set up at school houses and other points about the city. At no time was there a shortage of water for drinking or cooking purposes. Use of water for bathing, laundry, and industrial purposes was prohibited. Bulletins requiring boiling were posted on all portable tanks as well as announced by newspaper and radio. Many industrial plants and neighboring cities contributed river or well water.

It was plainly evident that there had been a rush for food on Sunday and Monday, the days before the water level peak. Whatever momentary shortage

existed was caused by the filled shelves in many homes. The food committee made immediate arrangements to keep open truck transportation lines, and within two days it was necessary to broadcast a bulletin to the effect that no food should be sent to Cincinnati unless ordered. Whatever profiteering existed was of extremely short duration, and principally in candles after it became known that the light plant was out of commission.

TRANSPORTATION PROBLEM

All trolley transportation was suspended on Sunday when it became necessary to import electric current. Gasoline buses were rerouted so as to take care of the situation. With the adoption of the "Sunday holiday" schedule for business and industry on order of the city manager, there was only a fraction of the usual daily transportation. Store, office, and industrial employees were requested to remain at home unless they were engaged in emergency work. Auto transportation in the affected area was restricted to cars bearing "official emergency" stickers, and these had to be obtained at city hall. The order did not apply to trucks.

Railroad transportation was considerably crippled. Although several lines could enter the union terminal, passenger exit to the down-town section was blocked by high water, causing such traffic to be routed to suburban stations. Freight transportation was badly crippled, but these needs were amply met by the substitution of truck transportation, for which outside aid was secured.

The fuel situation was also covered officially so that there was no profiteering and no shortage. With railroad transportation greatly decreased, there was a lessened supply. On the other hand, cessation of most of the industries lessened the demand, so that there has

been ample supply for all necessary purposes. The same is true with gasoline. There has been no rationing of either fuel or gasoline supplies.

Relief had been well worked out in advance, chiefly under supervision of the Red Cross, with the city cooperating in the rescue work. The location, number and condition of small boats were known in advance. In fact, small boats were at the water's edge when the river started its inundation, ready to take out persons in the usually flooded sections. Police were largely relieved of traffic duty by the National Guard. Emergency shelter, food, and clothing were provided by the Red Cross at stations used in the past, and in part from supplies on hand.

Disease is a factor that demands serious attention. The city's health service, in cooperation with other agencies, was ready with ample supplies and quickly secured the needed personnel. Stations for this type of work were established in all parts of the city and supplies distributed from city hall. Health warnings of various kinds, approved by the city manager, went out from the department, by bulletin, newspaper, and radio. The January death record—including the thirtieth—is clear evidence of the fact that the city's health has not so far suffered from flood conditions. January 1937 shows 117 more deaths than January 1936. But of these, all but sixteen are accounted for by the increase in deaths by pneumonia, all of which occurred before the flood peak.

Due to the water shortage the fire hazard was, and still is, considerable. From the 24th, when the regular supplies of water and electricity were discontinued, until noon on the 31st, there were 137 fire "runs." Most of these were still alarms, and all but a very few were fought with chemicals. There were

three large fires, of which only one was very serious, viz., the Standard Oil fire, where the loss was estimated at a million and a half. One apartment house fire, high on the bluffs, was conquered by a relay of pumpers extending from the flood waters below.

CAREER MEN PROVE THEIR WORTH

It must be said that the value of technical skill and experience in the rank and file, and especially among the officers of both the fire and police departments, is conspicuously noted during an emergency. All of the men in both departments, from and including the chiefs, entered and rose in the ranks through civil service. The officers know what they are doing and their men have confidence in them. The same thing is true all through the city's service in Cincinnati. Only the directors of departments are "hand-picked," and the hand (manager's) that picks them is also skilled in the service, with no idea of political values.

There is only one other need, from an administrative standpoint, and that is coördination. No emergency ever had it to a greater degree than Cincinnati has it at the present time. There is, for all practical purposes, no phase of living within the city which cannot be covered by an order of the city manager. When this blanket authority was given to the mayor by city council, and by

him delegated to the city manager with the knowledge and consent of council, power was added to the authority by providing a \$500 fine or imprisonment for violation of any order that might be issued under that authority.

It would seem, in conclusion, that the centralization of administrative authority and responsibility, provided for in the city manager plan, has been enlarged, temporarily, to include the legislative function. It must be understood, however, that council can meet at any time and rescind its former action. The power was specifically granted "during the emergency." In view of the fact that the enlarged powers were granted unanimously, and with very little discussion, it may be fairly inferred that the people's representatives in Cincinnati recognize the validity of the administrative principle involved when effective results are the prime consideration. The writer was present at the special meeting of city council held in the mayor's office. The prospective "dictator" was not present, and no persuasion was used.

It is more likely, however, that the new principles being evolved are really democratic rather than dictatorial. It has not been uncommon in past emergencies for the people to brush aside the political organizations in control at city hall, and set up, in their place, citizen

(Continued on Page 105)

Cincinnati's Trouble Expert.—Disasters are getting to be routine in the life of City Manager Dykstra of Cincinnati. Taking over his job in 1931, he inherited along with everybody else in the country the biggest economic hurricane in the history of the United States. Out of that unprecedented depression Cincinnati has emerged with a marvelous record. It is rather sad to think that a visitation of nature now comes along to spoil Cincinnati's fine ledger figures.

But, on the other hand, the flood is also an opportunity. Cincinnati's city manager demonstrated his eminent fitness in a long economic illness and may now give the country a demonstration of how to handle an emergency. A particularly fanciful person might almost believe that the malign powers failed to get Mr. Dykstra's number in five years of business collapse, and have now tried to see what they could do with flood and fire. By that theory Pittsburgh, Louisville, and Evansville would be innocent bystanders. From the *New York Times*, January 27, 1937.



RECENT NEWS REVIEWED

NOTES AND EVENTS

Edited by H. M. Olmsted

Connecticut Reorganization Commission Reports.—A complete reorganization of the administrative division of the state of Connecticut was proposed by the Reorganization Commission in its report to Governor Cross on January 25. Among its recommendations, as reported in the *New York Times* of January 26, are the following: (1) The establishment of a legislative council to engage continuously in study, research, and planning with respect to problems of legislation; (2) The establishment of an executive budget; (3) The adoption of a merit system of personnel; (4) The adoption of a system of centralized purchasing; (5) The establishment of a governor's cabinet; (6) The strengthening of the governor's powers to remove executive officers from office; and (7) The making of adequate independent audits of all state accounts at least once annually.

The commission also proposed several constitutional amendments needed to make some of its suggested changes possible. One of these would provide for the election of the governor for a four-year term in even-numbered years; another would provide for the appointment, rather than election, of the controller, treasurer, secretary of state, and attorney general.

State Manager Proposed in Ohio.—A non-political state administrator has been recommended for Ohio by Mr. Tullie V. Taylor, the chairman of Governor Martin L. Davey's "action committee" of three members. According to press reports of January 18, Mr. Taylor urges passage of a constitutional

amendment containing this provision, among others:

"That the state elect or appoint a board of seven, with rotating memberships, which will select the administrator and advise on general administrative policies; the state administrator to serve at the pleasure of the board, subject only to age, capability, and good behavior."

California's New Home Rule Charter Procedure.—The constitutional amendment changing the existing procedure for the proposal and adoption of home rule charters for cities and counties in California was approved at the general election in November. Under the new provision, ballots must contain the question, "Shall a board of freeholders be elected to frame a proposed new charter?" along with the names of freeholder candidates. The question must carry by a majority vote before the freeholders are deemed elected. An alternative method of framing a charter is provided; the city council or board of supervisors may draw up a charter or cause one to be framed and submitted to the electors.

VICTORIA SCHUCK

Stanford University

Direct Legislation in 1936.—A tabulation recently published by the National Association of Secretaries of State and the Council of State Governments indicates an unusual degree of approval of legislative measures submitted to popular vote. The people of thirty-nine states, asked to give their voting opinion on a total of 180 measures, approved over 50 per cent of the proposals in the form of constitutional amendments, initiated and referred statutes. The subjects ranged from courts and crime to education, social security, and

taxation. A total of twenty-seven measures in ten states were on taxation alone.

Eighty-eight of the 148 constitutional amendments submitted found favor with their electorates. Eight of the eighteen initiated measures were approved. Only three of the fourteen referenda were approved.

Comparison with previous years shows that the number of constitutional amendments submitted and the proportion approved by voters in 1936 was noticeably high. In 1935 over half the amendments proposed were approved, but the total number submitted was only forty. In 1934 seventeen states utilized direct legislation, gaining approval on a total of twenty-seven amendments. Figures for previous years show that in 1933 ten states submitted constitutional amendments; in 1932, twenty-three; in 1931, six; in 1930, twenty-one; in 1929, five; in 1928, eighteen; and in 1927, eight.

■

Public Libraries Seek State Aid.—Financial assistance by the state in order to improve and expand activities of public library systems will be sought in at least twelve states in 1937, according to reports made to the American Library Association at its recent midwinter conference in Chicago. In these states—Arkansas, Idaho, Illinois, Indiana, North Carolina, Ohio, Tennessee, Texas, Washington, Michigan, Vermont, and West Virginia—grants are asked for purposes ranging from extension of work of the state library to organization of a complete system of regional libraries.

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State and Municipal Employees and Social Security.—The problem of the 2,400,000 state and local governmental employees who are exempted from the provisions of the federal-state social security program will be studied by a special committee appointed by the American Municipal Association in response to a widespread demand that the federal social security act be amended if possible to include the governmental employees.

There are constitutional questions as to whether such groups can be included, and whether the federal government can enforce a levy of payments from either state or local governments for the purpose of social security benefits.

Among possible alternatives which the com-

mittee will consider is enactment of optional laws by which each state separately may provide for public employees within its borders. Whether the states can impose taxes equal to the federal tax for social security measures upon its political subdivisions, which, in turn, would be paid to the federal government for annuities, and whether a city can voluntarily pay into the federal fund an amount equal to the federal tax and require its employees to contribute a corresponding amount will be among other questions examined.

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Merit System Proposals.—An appropriation to revive the dormant Kansas Civil Service Commission was recently urged by the Kansas Chamber of Commerce, as part of its legislative program, in the following language:

"The Kansas Chamber of Commerce recommends that the legislature take steps to make civil service operative in Kansas. There is an existing law. It has been inoperative, partly for lack of appropriation and partly because of defective administrative provisions. It should be amended and appropriations made."

An aggressive campaign to secure merit system legislation in the 1937 session of the Pennsylvania legislature was launched some time ago by the Pennsylvania Federation for the Merit System. The federation, which was started early in 1936, is composed of seventeen state-wide civic and professional organizations, each of which is pledged to support the campaign.

Support of the merit system for the New Mexico Public Welfare Department has been announced by Clyde Tingley, re-elected governor. New Mexico may follow the lead of Indiana in the placing of the unemployment compensation commission and the welfare department under a merit system, to be administered by a joint agency.

A national "civil service" for federal judge-ships is under consideration by administration leaders, according to Senator James Hamilton Lewis of Illinois, who is quoted in the Chicago *Daily News* as saying, "The difficulty is not in the choice of men; it is a much larger question. It is this: Shall we now adopt a policy of promoting district judges to the Appeals Court, and appellate judges to the Supreme Court? Those who are urging a new policy, with some of the attributes of civil

service, say a decision must be made now because of one extraordinary circumstance: that is, the fact that there are now vacancies on the federal bench in seven large states."

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Progress of the Manager Plan.—According to a bulletin recently issued by the International City Managers' Association, the manager plan is now in use in 459 cities, of which 444—as well as seven counties—are in this country. Nineteen cities and one county adopted the plan during 1935 and 1936. Sixteen of these cities range in population from one to nearly twenty-five thousand; three have a population of more than fifty thousand; and the one county, Monroe County, New York, has a population of 423,881. Only one city—Stevens Point, Wisconsin (13,623)—abandoned the plan by vote of the people during 1936.

Nearly one city in every five of those over ten thousand population in the United States is operating under council-manager government. Thirty-six states have manager cities. Michigan leads with forty-six; Virginia, with three manager counties, has thirty-eight cities; Texas and Florida thirty-seven each; other states show from one to thirty-three.

Chicago Continues Its Manager Efforts.—A new series of public meetings, organized by the Chicago City Manager Committee as part of its drive to establish the city manager plan in that city, was announced in January as Professor A. R. Hatton of Northwestern University concluded a schedule of five luncheon discussions begun two months ago. The new series consists of four forum discussions in Thorne Hall on Northwestern University's downtown campus. Corporation Counsel Barnett Hodes, Alderman Jacob M. Arvey, chairman of the city council finance committee, and Alderman John A. Massen, chairman of the committee on traffic and safety have been invited to speak, as well as William Hale Thompson, former mayor. More definitely scheduled speakers include John O. Rees, director of the Citizens' Committee on Public Expenditures; Douglas Sutherland, executive secretary of the Chicago Civic Federation; George O. Fairweather, assistant business manager, and Professors Charles H. Judd and Herbert Dougall, of the University of Chicago; and Benjamin M. Becker, chairman of

the men's division of the City Manager Committee.

At a forum meeting of the Chicago City Club in January, five speakers presented various aspects of the movement. A bill to be introduced in the legislature was described. This would extend to all cities and villages the right to adopt the city manager plan, now restricted to villages under five thousand population. The bill provides for local referendum upon petition of one per cent of the voters. It calls for a council of five in cities and villages of less than 50,000 population, of seven in cities and villages of 50,000 to 500,000, and of nine in cities over 500,000, to be elected at large. Election by proportional representation is made optional.

The city council of Evanston, adjoining Chicago on the north, has had a proposal presented to it by Alderman T. G. Lowry to approximate the city manager plan, under existing statutory restrictions, by enlarging the responsibilities of the commissioner of public works, appointed by the mayor with the approval of council. The mayoralty would become chiefly an honorary post. The proposal was submitted to the judiciary and finance committee to report some time prior to adoption of the 1937 budget.

Other Manager Developments.—Coronado, California (5,425), by the narrow margin of 57 votes out of a total of 1,015, defeated a proposed manager plan charter on January 19.

Hamilton County, Tennessee, is working on a county-manager bill which is to be introduced in the present session of the Tennessee legislature. The Nebraska county manager enabling act, declared unconstitutional by the state supreme court, is being redrafted for resubmission to the legislature this year.

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New York City Hall News on the Radio.—The Citizens' Union of the City of New York on January 2 inaugurated a new radio feature, "The Week at City Hall," to continue on Saturdays from 5:30 to 5:45 over radio station WHN. It is conducted by Miss Margaret Tanzer, assistant secretary of the union, with the purpose of relating the facts behind the news at city hall and discussing the personalities that make the news. Guest speakers from all parties and factions will be invited to discuss important issues that come up during the year.

"Federal-City News" Established.—The United States Conference of Mayors began on January 9 the publication of another news bulletin, which will deal with news in the field of the relationship of municipalities and the federal government. The first issue, of eight letter-size photoprint pages, dealt with interest and freight rates affecting cities, federal highway funds, housing, WPA, collusion in bids, etc.

COUNTY AND TOWNSHIP
GOVERNMENT

Edited by Paul W. Wager

Montana—Legislative Proposals.—The legislature convened Monday, January 4, and the first bill presented in the house was a measure to exempt from taxation all real estate used as residence, either farm or city, up to \$2500 assessed valuation. This measure, if passed, would be of far reaching importance to local governments, it being estimated that in some counties the taxable valuation would be reduced from 40 to 60 per cent. In the case of many cities, it is estimated that the taxable valuation would be reduced from 40 to 75 per cent; in the case of approximately one thousand school districts, or about one-half the total number in the state, the taxable valuation would be reduced 75 per cent.

Other proposals which seem likely to be introduced in the form of bills are: (1) Returning 50 per cent of all auto license fees collected within municipal boundaries to the municipalities; (2) extending for at least another year the law which would make it possible to pay up delinquent taxes without penalty and interest; (3) organization of the county superintendent's office on a nonpartisan basis and for four-year terms (county superintendents are elected at present by popular vote for two-year terms); (4) a property replacement tax for the state public school general fund to provide for 50 per cent of the cost of education, distributed on a teacher-pupil basis (said property replacement tax to relieve local school districts of a considerable portion of the burden of supporting schools); (5) a reorganization of the school administrative units which would greatly increase the size of present units and reduce the number from about 2100 to 400.

R. R. RENNE

Montana State College

Pennsylvania—Another Attack on Fee System.—The constitution of 1874 attempted to put an end in counties of 150,000 inhabitants to the pocketing of fees collected by county officers for services performed for the counties. But the courts, construing the constitutional provision strictly, have held that it does not prevent the state from designating a county officer as its agent to perform services for the state and from paying for these services with fees or commissions which the officers may keep for themselves. In *Philadelphia County v. Sheehan* (263 Pa. 449, 1919), the Supreme Court held that the legislature could not require that inheritance-tax commissions of registers of wills be paid into the county treasuries in a single class of counties. It appears that for collecting state inheritance taxes the register of wills was allowed commissions of about \$37,600 in 1931, \$28,400 in 1932, and \$21,000 in 1933. In the city-county consolidation amendment approved by the 1935 legislature there is a provision making mandatory the payment of all such fees into the Philadelphia treasury regardless of what is done with them in other counties.

Adapted from *Citizens' Business*
Philadelphia Bureau of Municipal Research

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Kansas—A Demand for County Reorganization.—There is a strong movement for the county manager plan of government for Sedgwick County (Wichita) and for enabling legislation which will permit county consolidation or county reorganization in other counties of the state. Sedgwick County has a population of 140,000 with about 120,000 of the total living in Wichita. This city has had the manager form of government since 1917 and its citizens would now like to see a similar form established for the county.

The Board of Directors of the Kansas State Chamber of Commerce recently adopted a resolution favoring legislation which would permit those counties which so desired to simplify their governmental machinery. It opposes mandatory legislation but it favors legislation authorizing the abolition of townships, the consolidation of counties, the consolidation of city and county governments, the joint operation of governmental functions by two or more counties, the consolidation of departments, the adoption of the county manager

plan, or other steps in the interest of efficiency and economy.

BENJAMIN G. HEGLER

California — City-County Consolidation Amendment Defeated.—Contrary to first reports and contrary to the item appearing in the December issue of the REVIEW the proposed amendment to allow any county having one or more incorporated cities within its boundaries to adopt a consolidated city and county government regardless of population was defeated. Thus the 200,000 population requirement for counties for consolidation remains in force.

VICTORIA SCHUCK

Stanford University

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Tennessee—Attacks the J. P. Courts—Reform of the fee-grabbing justice of the peace courts is a perennial, or at least a biennial, issue in Tennessee. A state-wide bill on the subject failed of enactment in the 1935 legislature, but private acts substituted salaried judges for the fee-supported justices in Johnson City and in the counties of Hamilton and Unicoi. Legal attacks were launched against the new courts thus established, and all three of the acts were held unconstitutional by the Tennessee Supreme Court in February 1936.¹

The court's decisions, however, were not of such a nature as to discourage further attempts at reform. Two of the acts were held defective because of a limitation on the right of jury trial, and in the third case the objection was to the title of the act. The encouraging feature was the definite indication by the court that properly drafted acts of this nature would not be disapproved. It was held that the jurisdiction of justices of the peace is statutory, and that no constitutional rights are impaired by a transfer of their jurisdiction to special courts, even if the act affects only a particular county, and is not on a state-wide basis.

Encouraged by this decision, the bar associations of a number of counties have drawn up bills providing for replacement of justice of the peace courts in their counties by courts of general sessions, with judges and other of-

ficers on a salary basis. Davidson County, containing the city of Nashville, is the first to secure adoption of a private act of this character in the 1937 legislature. The act, as passed on January 11, 1937, provides for three courts of general sessions, with the first judges to be appointed by the governor, and subsequently to be elected. The three judges, with salaries of \$4,000, will assume substantially the same jurisdiction as is now exercised by the justices of the peace.

At least three other counties, Knox, Hamilton, and Montgomery, are preparing to seek the enactment of legislation along the same lines. The Knox County bill proposes to replace the sixteen to twenty justice courts with a two-judge court of general sessions. It is interesting to note that the Knox County justices, sitting as the quarterly court, recently voted an appropriation of \$2,000 to pay the expenses of the Knox County delegation to the legislature. This action, generally interpreted as an attempt to "induce" the representatives to oppose the anti-J. P. bill, has been halted by an injunction.

C. HERMAN PRITCHETT

Tennessee Valley Authority

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Texas—Retirement System for Public Officials.—At the general election in November the voters of Texas approved two constitutional amendments of significance to counties in this state.

One of these grants power to the legislature "to levy taxes to provide a retirement fund for persons employed in public schools, colleges, and universities, supported wholly or partly by the state." This amendment provides that the state shall contribute a sum equal to the amount paid into the fund by each individual, but the state's share cannot exceed at any time 5 per cent of the compensation paid to such individual by the state and/or school district, and is limited further to an annual amount not to exceed \$180 for each individual covered by the amendment. Under the provisions of this amendment, no person "who has not taught twenty years in the state of Texas" is eligible to receive a "pension," but those ineligible because of this limitation are entitled to a refund of the money which they have paid into the fund. The usual stipulation for the investment of

¹*Gouge v. McInturf, Ward v. Murrell, Spurgen v. Worley*, 90 S.W. (2d) 753, 945, 948.

moneys paid into the fund is made. A poorly worded proviso states "that the recipients of such retirement fund shall not be eligible for any other pension retirement funds or direct aid from the state of Texas, unless such retirement fund, contributed by the state, is released to the state of Texas as a condition to receiving such other pension aid."

Urban Counties to be Under-Represented.—

Illustrative of the century-old contest between rural and urban areas for dominance in state legislatures is an amendment, approved at the same election, which seeks to restrict the representation of "urban counties" in the house of representatives. The constitution provides that the membership of the house, which now has reached its constitutional maximum of 150 members, shall be apportioned among the counties on the basis of population, according to the last United States census, and "for any surplus of population" a county "may be joined in a representative district with any other contiguous county or counties." Although the legislature is constitutionally obligated, "at its first session after the publication of each United States decennial census," to apportion the state into representative districts upon the bases mentioned, no reapportionment has been made since 1921, when the population of Texas was 4,663,228. In 1930 the population had increased to 5,824,715, or an average of 38,831 persons to each member of the house. The extent of discrimination against the principal urban counties, under the present apportionment, may be seen from the following table:

Representatives from the rural areas, evidently fearful of a long-delayed reapportionment, obtained legislative approval in the regular session of 1935 of a constitutional amendment which limits the representation of any county to not more than seven members, unless the population of such county, according to the most recent United States census, exceeds 700,000 people. An additional representative for each 100,000 population in excess of 700,000 is allowed. This amendment was adopted in November by a vote of 344,173 to 238,879. Most surprising was the vote of the four "urban counties" on this amendment. Bexar County (19,418 to 17,391) and Harris County (30,662 to 23,918) voted against this amendment; but the voters of Dallas County (15,362 to 14,875) and of Tarrant County (17,882 to 8,660) approved this restriction of representation. The total vote in these counties was 74,553 to 73,615 in favor of the amendment. This political self-denial upon the part of the voters in these counties may be explained partially by the fact that there was very little intelligent discussion throughout the state of the real import of the amendment.

Abolition of Fee System Resisted.—The salary law, passed by the legislature in November 1935, to effectuate a constitutional amendment which abolished the fee system as a method of compensating all district officers and county officers in counties of a certain population, and gave to the commissioners' courts authority to determine the method of compensation of precinct officers (see

County (city)	Population, 1920 County (city)	Population 1930 County (city)	Number of House Mem- bers—Appor- tionment, 1921	Average population per member (1930) State average: 38,831	Number of members to which entitled under 1930 census
Bexar (San Antonio)	202,096 (161,379)	292,533 (231,542)	5	58,506	7
Dallas (Dallas)	210,551 (158,976)	325,691 (260,475)	5*	65,138	8
Harris (Houston)	186,667 (138,276)	359,328 (292,352)	5	71,865	9
Tarrant (Ft. Worth)	152,800 (106,482)	197,553 (163,447)	4**	49,388	5

*Dallas, Kaufman and Rockwell Counties elect a flatorial representative, not included in the number given.

**Tarrant and Denton Counties elect a flatorial representative, not included in the number given.

NATIONAL MUNICIPAL REVIEW, April 1936), has been attacked on the ground that it is "breaking the backs of counties" from a financial standpoint. It appears that county and precinct officers, through action of the commissioners' courts last January, generally were placed on the maximum salary basis allowed under the act. It is charged at the present time that the fees collected by many of these officials, now payable into the county treasury, are not sufficient to meet the salaries which they receive. A more likely reason for this situation, however, is a steady diminution in the aggressive attitude of officers formerly paid by fees but now on a salaried basis toward the collection of fees which are legally due for services rendered by these officials. Nevertheless, the Texas legislature, convening in regular biennial session this January, will again be called upon to face the perennial and difficult problem of compensation of local officials.

J. ALTON BURDINE

University of Texas

TAXATION AND FINANCE

Edited by Wade S. Smith

Governments Galore.—In a fine piece of social reporting Mr. George R. Leighton, in a recent issue of *Harper's Magazine*, tells the moving story of Shenandoah, Pennsylvania, "an anthracite town." At about the time that Mr. Leighton's story of Shenandoah was flowing through the linotype machines this reporter was in Shamokin, another anthracite town, concerned not so much with that community's genesis as with its present governmental status quo. And just as the story of Shenandoah is the story of an industry, so the structure of Shamokin as a governmental unit is typical, not of an anthracite town, nor of a Pennsylvania town, but of hundreds of American communities. So the story of Shamokin—with governments galore—will be briefly noted here.

Located in Northumberland County at the western end of the so-called Anthracite Trail, Shamokin shares with hundreds of sister cities throughout the country the burden of what are sometimes loosely called overlapping governments. Exclusive of the state of Pennsylvania and the county, no less than

five separate and distinct tax levying instrumentalities exist to provide the functions of local government here. All have separate elective governing bodies, separate administrative units, even separate offices.

The area of this community of some forty thousand persons is bounded by the adjacent mountains, upon whose sides are the collieries and breakers and a goodly portion of the drab residences. On the valley floor is Shamokin Borough, with slightly less than half the population within its corporate boundaries. Surrounding the borough, like the dough of the doughnut and containing the cream of the community's real resources, is Coal Township, indistinguishable in its innermost portion from the crowded development of the borough. A visitor can walk the length of the community's principal bisecting thoroughfares and without leaving the business section pass from the township through the borough and into the township again. Some idea of the effect of this corporate separation on the tax base of the borough is obvious from the fact that while Coal Township contains about 50 per cent of the coal valuations of the county with 40 per cent of the township's taxes paid by the collieries, the borough derives only a minute income from this source estimated at a few hundred dollars over the past five years. So, in addition to divided governmental responsibility for the community, one of the governmental units is so situated as to be virtually without the taxable resources characterizing the community as a whole.

Each of the units has its separate school district, each coterminous with the underlying municipality. And over the whole is thrown the Coal Township Poor District, embracing the township and borough together, and serving the whole community. There are thus one district, two municipalities, and two school districts—five units of local government, all for what is in size, area, and intensiveness of development a city in the layman's accepted use of the word.

The governmental characteristics resulting from this multiplicity of administrations are interesting. Governmental costs, it should be noted, are low. Debt imposes a very light burden indeed, for the community is old and its original improvement costs have long been amortized and taxpayers frown upon new

bond issues. Operating costs are low too, so low, in fact, as to raise the question whether or not efficiency of performance is possible. But taxpayers are more concerned with a minimum basis of operations than expanding governmental services, so if Shamokin or the encircling township seem to fit Pope's epigram by doing as little as possible there is no one locally to complain. Separate tax levies are laid for nearly every function of each of the five units, and their rate has varied little over a period of years; the suit is pretty well cut to fit the cloth, credit is excellent, and there is little likelihood of any spending spree.

Nevertheless, local opinion makes some sharp distinctions between the units, there being a prevalent belief that the borough administration is superior in calibre of elective officers and conservatism of finances and management to any of the others. Borough residents are glad they do not have to support the more costly town government—which, incidentally, must provide the bulk of the roads and streets of the community. The school districts rank somewhat higher in local standing than their respective underlying units, but this is more a characteristic of American local government in general, since it is commonly considered that our school systems are freer from "politics" and have a more professionalized administration than the municipalities in which they are situated. The poor district seems to the outside observer to occupy a unique position in local opinion—its elective board of overseers being judged by the performance of the superintendent of the poor house, who is currently well regarded indeed.

Functionally, it cannot be said there is any duplication of services among the five units. Rather, each supplements the others to provide the basis of protection, public works, and educational facilities for the portion of the community falling to its jurisdiction. But that there is duplication of administrative effort is obvious. Discounting the two school districts, since commonly throughout the nation school administration is wholly separate from the rest of local government, there are three governing bodies, three "seats of government," three sets of administrative personnel. Merger of borough, township, and poor district is, as a practical matter, unlikely, since Shamokin is traditionally Republican politic-

ally and Coal Township Democratic, a political division remaining unruffled by the general reverses of local partisans in recent years. So multiplicity of units and division of administrative responsibility is likely to continue for some years in the community of greater Shamokin.

Simplification of local government means little in this anthracite town, either to its inhabitants or in terms of the rehabilitation of local governmental finances, since it can truthfully be said that the present working arrangement suffices, in a tolerable way, for the presently felt needs. But the division of what are essentially unified communities into downtown and outlying districts with separate governments is no novelty either in Pennsylvania or in the rest of the country; and for every Shamokin, marked by low and stabilized costs, there can be paired a community in the throes of expansion and mounting costs, where governmental simplification spells real cost savings. Some of these other much-governmented communities will be noted from time to time in this column in future issues of the REVIEW.

A net debt reduction of \$14,000,000 in the last five years is the record of Cincinnati, largest of the country's council-manager cities, City Manager Clarence A. Dykstra announced recently. The city closed 1936 with "substantial balances in all operating funds," Mr. Dykstra said.

On January 5 Governor William Langer of North Dakota proclaimed a moratorium on all mortgage foreclosures. Tax titles held by the state's local units will be included in the ban.

Creation of a virtual \$2,500 homestead exemption is contemplated by the first measure introduced in the forty-seventh Iowa general assembly. The bill would amend the present law relating to taxation of incomes and retail sales by allocating revenues first to the old-age assistance fund, then to the counties on the basis of credits for homestead real estate taxes exempted, and finally to the county school funds.

Newark, New Jersey, collected 58.3 per cent of its 1936 tax levy to mid-December, as com-

pared with 55.1 per cent to the same date a year earlier, according to a recent announcement of the city comptroller. Current and back tax collections of \$26,429,758 were 75.4 per cent of the year's levy, with a \$1,900,000 personalty tax received a few days later under the city's drive to levy on personal property assessments omitted from the regular assessment roll.

Tax limitation measures in Massachusetts and New York are worrying local officials as the year's sessions of state legislatures get under way. Comprehensive educational campaigns are being waged pro and con in both states.

PROPORTIONAL REPRESENTATION

Edited by George H. Hallett, Jr.

Constitutionality Suit in New York.—

The political forces in New York City which opposed the adoption of P. R. at the polls in November have commenced their expected attempt to deprive the people of their victory by court action. Assemblyman Edward S. Moran of Brooklyn, who tried unsuccessfully in the courts to keep the P. R. question off the ballot, has now brought an action in the name of Mrs. Loretta F. Johnson against Mayor La Guardia, the City of New York, the city clerk, and the board of elections to declare P. R. unconstitutional and restrain the officials named from taking any steps toward putting it into effect.

Although the highest court in the state, the Court of Appeals, heard arguments for and against the constitutionality of P. R. in the case of *Mooney vs. Cohen* (272 N. Y. 33)

before election and declined to remove the question from the ballot on that ground, it did not say in so many words that P. R. is constitutional. The corporation counsel's office, which is representing the mayor and the city clerk in the case, will push it to the Court of Appeals for a final determination as speedily as possible.

In starting the suit Mr. Moran gave a statement to the newspapers which is typical of the lack of concern for the truth shown by many of the political enemies of P. R. in their continuing campaign against it. Mr. Moran says that in voting for P. R. the people were "misled by a few reformers" and proceeds to set them straight by such remarkable statements as the following:

"Of the many cities of the United States that have tried proportional representation, all but one have abandoned the system." Of course he could easily have verified the fact that it is now in use in Cincinnati, Toledo, Hamilton (Ohio), Wheeling, and Boulder (Colorado).

Because of the frequency of assertions that P. R. has proven unpopular where used, it may be well to review briefly the actual facts of the attempts to repeal it, which political adversaries of fair play in elections may always be counted on to make. One of the municipalities which had P. R., West Hartford, had P. R. taken away from it by action of the state legislature; and two, Kalamazoo and Sacramento, by the courts. The only American city that has ever discarded P. R. on a direct popular vote on that issue is Ashtabula, Ohio. Eight of the nine direct popular votes on proposed repeals of P. R. without other change in various American cities have sustained the system. Cleveland a few years

REFERENDA ON REPEAL OF P. R.

	SUCCESSFUL ATTACKS		ATTACKS REPULSED	
	ON P. R. ALONE	COMBINED WITH OTHER ISSUES	ON P. R. ALONE	COMBINED WITH OTHER ISSUES
Ashtabula	1	0	1	1
Boulder	0	0	1	2
Cleveland	0	1	2*	3*
Cincinnati	0	0	1	0
Hamilton	0	0	3	0
Toledo	0	0	0	1
Totals	1	1	8	7

*Three of these questions, two on repeal of the city manager plan and P. R. together and one on the repeal of P. R. alone, were defeated at the same election.

ago adopted a complete new charter in which P. R. was dropped, but subsequently gave a larger majority to a new county charter in which P. R. was included. Seven of the eight attempts in various American cities to adopt charter amendments which repealed P. R. along with other changes were repulsed. Hamilton and Boulder have each defeated three attacks on P. R. and Cincinnati and Toledo each one. Cleveland defeated the two attacks on P. R. in which other changes were not also included. All the referenda on attempts to repeal P. R. in American cities are summarized in the following table:

Mr. Moran continues that "all" of the American cities using P. R. "found that it does not give political parties minority representation as its proponents claim." Cleveland held five P. R. elections in each of four districts, making twenty separate P. R. elections in all. In every one of these twenty, nominees of both the Republican and the Democratic parties were elected. In every one of Cincinnati's six elections so far held candidates sponsored by each of the two major parties were elected.

"In all the elections racial and religious considerations predominated," says Mr. Moran. There is no single city in this country in which it could reasonably be claimed that such considerations played a major part in the election of a majority of the members of council at any of its P. R. elections.

Mr. Moran goes on: "All the cities that have tried it have found that the total vote fell off considerably after the first election." Both Cleveland and Cincinnati polled the largest numbers of valid votes ever cast in their municipal elections up to that time in P. R. elections later than the first.

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P. R. Urged for New York Counties.—Senator Thomas C. Desmond and Assemblyman Lee B. Mailler, both Orange County Republicans, have reintroduced with few changes their comprehensive optional county government bill which passed the New York State senate unanimously at last year's session. This bill makes available by petition and popular vote for all counties outside New York City four alternative improved forms of county government, with numerous optional variations and a choice of election methods

in connection with each form. One of the election alternatives is proportional representation for a small county board of supervisors (not including the town supervisors ex officio as at present). In a county adopting P. R. other county officers which remained elective would be elected by the corresponding Hare system of majority preferential voting. P. R. would normally be applied to the county at large, but in case the county contained a city with more than a quarter of the county's population that city and the rest of the county could be made separate districts.

The Desmond-Mailler bill was one of three bills to carry out the mandate of the county home rule amendment of 1935 which passed the senate last year, but only the least comprehensive of the three passed the assembly and became law. In his opening message to the legislature this year Governor Lehman expressed the hope that the more comprehensive bills would pass at this session. With a much closer division than last year in the assembly, the solid Democratic support which they received last year together with two or three votes from Senator Desmond's and Assemblyman Mailler's own party would be sufficient to pass them.

Optional P. R. for counties and other units of local government has the support of civic groups in all parts of the state, in line with the recommendation of the state conference on legislation at Schenectady sponsored by the state committee of the National Municipal League last summer.

Two counties have recently shown particular interest. A special plan of county government for Westchester County, based in general on recommendations of the county charter commission of last year, was made public on January 15 by the County Federation of Women's Clubs, the League of Women Voters, and the County Taxpayers Association. The plan includes a legislative body of ten members elected by P. R. from the county at large, or two each from five districts (in which case there would be little scope for variety of representation in each district). The county board of supervisors is asked to approve the plan and ask the legislature to make it available by means of a special law.

In Schenectady County the board of supervisors has appointed a special citizens' committee of twenty-one to work out recommenda-

tions on the form of county government, and the Charter League, which sponsored the recent adoption of the city manager plan in the city of Schenectady, is urging a referendum on the adoption of P. R. for county supervisors. The Charter League is also considering drafting a special county reorganization bill to meet the exact needs of Schenectady County.

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P. R. Bills in the Massachusetts Legislature.—The P. R. bills which attracted considerable interest in the Massachusetts legislature last year have been introduced again with a few changes. Representative Christian A. Herter of Boston, who is majority leader in the lower house this year, has combined in one his two bills which were reported favorably but defeated on the floor of the house last year. The new bill makes P. R. for councils and school committees optional by petition and popular vote for Boston and for other cities and towns throughout the state. Mr. Herter was a member of the charter commission which recommended in 1934 that P. R. be made available for Boston. In a circular letter announcing that he would reintroduce the bills he made an effective reproduction of three pages of the illustrated "P. R. Primer" published by the Women's City Club of New York City for the recent New York campaign.

The other P. R. bill was introduced again with some changes by Representative Rufus H. Bond of Medford on petition of John H. Chipman and others. It provides a new optional plan of government for Massachusetts cities, the city manager plan with a city council of seven or nine members elected by P. R. at large, and a school committee consisting of the mayor (president of the council) and six members elected at large by P. R.

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Saskatoon Returns to P. R.—Saskatoon, Saskatchewan, is one of the several cities of western Canada which a number of years ago adopted P. R. and later discarded it, partly because of insufficient educational work but primarily because, under existing local conditions, improved election methods were less needed than in our great metropolitan cities and did not make such striking changes as to

make their benefits obvious to the casual observer. Winnipeg, Calgary, and two smaller municipalities have continued to use P. R., Winnipeg since 1920 and Calgary since 1917, and Manitoba and Alberta use it for provincial elections in the larger cities, but there has been no extension of P. R. in Canada in recent years.

Saskatoon adopted P. R. in 1920, defeated an attempt to repeal it in 1923, and finally voted it out in 1926. Now comes word that a plebiscite was taken at the Saskatoon municipal election in November, at which the city voted to return to P. R. with the single transferable vote by a majority of 1234. A definite by-law will now be drawn up and submitted for approval. The educational program which preceded the plebiscite will be continued and extended. We are indebted for this information to W. J. Smith, president of the Saskatoon Electoral Reform Group.

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Mary H. Ingham.—The P. R. movement lost one of its most devoted and helpful friends through the death on New Year's Day of Miss Mary H. Ingham of Philadelphia. Although seventy years of age, Miss Ingham continued until a few months ago as one of the most active and tireless leaders of the forces working for state constitutional revision and city charter reforms in Pennsylvania and Philadelphia. She was the volunteer secretary and moving spirit of the Philadelphia Conference on City Government, which for several years brought leading speakers from Cincinnati and other cities to Philadelphia under joint auspices of a large number of civic organizations and conducted well publicized discussions on P. R., the city manager plan, city-county consolidation and other proposed improvements in relation to the major problems of Philadelphia's city government. An ardent worker for suffrage in earlier days, she became more and more convinced that the suffrage victory would never be complete until the votes of all citizens were made effective through proportional representation. The many who have had the privilege of working with Miss Ingham will regret that she did not live to see the full fruit of her efforts in her own city and state.

GOVERNMENTAL RESEARCH
ASSOCIATION NOTES

Edited by Robert M. Paige

NEW RESEARCH BUREAUS

Bureau of Municipal Research of the Newark (New Jersey) Chamber of Commerce.—The Newark Chamber has decided to organize a governmental research program. Loren Miller, until recently the assistant director of the Municipal Finance Officers' Association of the United States and Canada, has been appointed director of the new bureau. Mr. Miller has served on the staffs of the Detroit Bureau of Governmental Research, the Citizens Advisory Finance Committee of Newark, and the Municipal Service Department of Dun and Bradstreet.

Flint Institute of Research and Planning.—This organization is now being set up by the Flint Community Association, the Chamber of Commerce, and the Community Fund. The Institute has been given a broad scope in the prospectus recently issued. Governmental research or research in public administration will be an important part of the Institute's program.

Department of Planning and Research of the Montreal Metropolitan Commission.—The Montreal Metropolitan Commission is an official body founded in 1921. The Department of Planning and Research has recently been set up by the Commission. Plans are being made for developing a program of research in many different governmental problems, including problems of public administration.

Marshall College.—This state-supported institution in Huntington, West Virginia, has established a municipal research bureau under the direction of Professor Paul K. Walp, head of the political science department.

Indiana University.—A bureau of governmental research was recently set up under the direction of P. S. Sikes.

Louisiana State University.—Professor R. S. Carleton of the political science department is the director of a newly established bureau of governmental research.

The Buffalo Municipal Research Bureau.—In its work, the Bureau covers both the city of Buffalo and the general government

of the county of Erie, New York. The Bureau initiated local interest in county reorganization in a series of pamphlets entitled "Erie County Governments" in 1932, and has been a leading factor in its development both in the county and to a degree in the state. The adoption in 1935 of a constitutional amendment whereby alternative forms of county government could be provided by the legislature, and the subsequent enactment of the so-called Fearon bill, now open the way for a reorganization of the governmental system in all counties in the state. The board of supervisors here has appointed a committee to recommend a plan, under this law, for submission to a referendum in November 1937. While it is not probable that any extreme features will be included, a start will be made, if the referendum approves, by providing for a county executive and reorganizing all the general county departments under him.

The Bureau's report, "City of Buffalo Financing in the Depression," supplied a need for taking stock of the city's finances, which was appreciated both by taxpayers and by prominent bond houses, if one may judge from the orders for copies from New York City and elsewhere. The report showed that Buffalo had maintained its rather low tax rate and expense account, though at a somewhat heavy cost in bond issues.

Upon request of the director of the budget the bureau has prepared a financial program for the city covering the next five years, the chief features of which are the maintenance of a stabilized tax rate, a gradual reduction of the bonded debt, and only such refunding as will maintain the uniform rate.

The Bureau took an active part in the two-day session here, on December 18 and 19, of the town and county officers training school, for five counties in western New York, which some four hundred officials attended. The Bureau believes that these sessions, which are of the nature of conferences or conventions addressed by competent speakers with subsequent discussions, will do much to increase the efficiency of local officers throughout the state.

Bureau of Business and Government Research of the University of Colorado.—During the past year the Bureau completed

four research reports in addition to functioning as the secretariat of the Colorado Municipal League.

A comparative analysis of receipts and disbursements of the state government of Colorado for the ten-year period 1925 to 1934 inclusive was prepared by Martin Schmidt of the Bureau staff and published as a mimeographed report of ninety pages, illustrated with charts and graphs.

Under the title "Public Education in Colorado Since 1880," the Bureau presented data concerning the growth and development of Colorado's public school system from 1880 to the present time. The long-term trends in school enrollment and attendance, revenues and expenditures and per pupil cost, school indebtedness, and comparisons of Colorado with other states are presented. The report was prepared by William Slaton of the Bureau staff. It is a mimeographed document of 128 pages, illustrated with graphs and diagrams and constitutes a reference handbook on Colorado schools.

A study of possible sources of aid to research and education from American foundations was prepared by the director, D. C. Sowers, as an outgrowth of his activities as a member of the council of research of the University. The report gives a statistical picture of the number and size of American foundations, their major fields of interest, their addresses and chief financial officers, and the amount and purpose of grants made to American colleges and universities.

At the request of the president of the University, the director of the Bureau made a study of the effect of tax limitation in other states and its probable effect upon state and local governments in Colorado. The report was published by the University in order that authoritative information might be made available to the citizens of Colorado regarding the effect of over-all tax limitations in other states. An edition of two thousand copies of the seventy-five-page monograph was printed and distributed. This report furnished the factual information for the campaign which was waged by various groups to defeat the constitutional tax limitation amendment to limit property taxes to twenty mills in cities and fifteen mills in outside territory. So effective was the campaign conducted that this amendment was defeated by

a five-to-one vote of the citizens on November 3.

As headquarters for the Colorado Municipal League, the Bureau supervised the activities of a field agent for an eight-months period, made audits for four cities, conducted training schools for firemen and waterworks superintendents, compiled a directory of city officials, promoted a new section for city attorneys, and published a bi-monthly magazine.

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Association of Omaha Taxpayers.—The Association is proud of the record of economy achieved by the state of Nebraska and the city of Omaha during the past four years. The state has no debt and the local government debt has been substantially reduced during this period. The state tax levy for 1937 is the lowest in many years. Property tax levies in Omaha will be lower in 1937 than in 1936.

No bonds have been issued by the city of Omaha since 1932, when the city charter was amended to require a popular vote on all bond issues. The bonded debt of the city and county is being reduced rapidly. The fiscal year which closed in September 1936 was the first during which the county government operated under a budget. The county continues, however, to increase its deficit.

The Association was, of course, deeply disappointed by the Supreme Court decision which prevented the county manager charter, adopted in 1934, from going into effect in January 1937. Lack of coöperation among the county offices which would have been remedied by the new charter is a major cause of the county's financial difficulties. The current session of the Nebraska legislature (only one house now) will be asked to enact county manager legislation.

The Association continues to work for the establishment of sound pension systems for police and firemen. Collection of delinquent real and personal property taxes has also given the Association's staff cause for concern. However, the Association reports that in Omaha and throughout the state, public sentiment for consolidation of counties, home rule for counties, the executive or manager plan in the larger counties, budget and uniform accounting laws, pay-as-you-go financing measures, and similar reforms is growing and

that "tax intelligence is rapidly succeeding tax consciousness." The Association looks forward to a year of great progress during 1937.

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Los Angeles City Bureau of Budget and Efficiency.—There is no administrative power vested in this municipal Bureau, its duties being prescribed by charter as investigational and advisory to the mayor and council. In view of the staff nature of the work, results can be viewed only in the performance of the numerous line functions of the entire governmental organization; and it is significant that in the twelve years of the Bureau's existence, and despite the emergencies created by the economic depression, there has been no short-term borrowing or warrant registration in Los Angeles.

During the past year, Bureau representation has been requested and made available in increasing quantity at meetings of council committees, special groups, and citizen bodies, as well as in various departmental conferences and for consultation with numerous department and division administrators. Such representation has necessitated the assembly and correlation of a large amount of factual data not regularly included in written reports. Both the coöperative professional attitude of Bureau members in connection with such assignments and the greater body of pertinent facts

procured thereby have resulted in better coördination of work programs and in improved budgeting.

While a considerable number of legislative and administrative files have been investigated and reported upon, and monthly tabulations, analyses, and forecasts of taxes and other revenues have been made, much time has been devoted to detailed studies of taxes, fees, expenditures, and services as well as the conducting of departmental surveys.

Roy A. Knox, appointed under civil service as director of the Bureau upon its creation in 1925, remains at the head with ten staff members and four stenographic employees, all appointed under civil service. All staff members have an average service of nine years with the city and eight years in the Bureau. Four of these men successfully competed a few months ago in a civil service examination for the position of chief of the division of budgets and accounts in the state department of finance, to which an appointment has not yet been made.

This bureau has for its objective a dollar's worth of service for every dollar expended in municipal operations; and the experience of the city of Los Angeles shows the decidedly beneficial results to be attained through fact-finding and analysis by a group of professional public administrators.

THE CITY MANAGER

(Continued from Page 91)

committees to take charge. Flood emergencies were signals for such action in both Dayton and Galveston since the turn of the century. The necessity for prompt action and unmistakable results made it so clear to the popular mind that the old style "democracy" was incapable of functioning, that a change in the form of local government was demanded, in both cases, after the floods subsided. The administration of gang politics simply could not stand the spotlight. It is significant that none of these things has happened in Cincinnati—no citizen committees to take over the processes of local government, and no martial law to preserve the peace. The regular government, because of its cen-

tralized administrative responsibility and coördination in everyday practice, has been able to step up its stride and cope with the emergency to citizen satisfaction. It has been more than satisfaction; it has been a confident dependence on city hall leadership. This is evidenced in the complete willingness and cheerfulness of the citizens to submit to a discipline to which they react as though self-imposed. It is a coöperative acquiescence in closing of theatres and stores and rationing of light and water, based on the conviction that local democratic government is able to stand the strain. It may well be interpreted as an example of what administration must be able to deliver in a democracy if it wishes to keep its balance.



RECENT BOOKS REVIEWED

EDITED BY GENEVA SEYBOLD

Public Finance. By Alfred G. Buehler. New York, McGraw-Hill Book Company, 1936. 632 pp. \$4.00.

Although Professor Buehler modestly announces his new book as intended to be "an introduction to the principles and problems of government financing," there is much of value in it for the mature student of public finance. The discussions of the various subjects, though necessarily brief, are generally well done. The factual data are thoroughly up-to-date. It is perhaps because of this that one emerges from a reading of the book with the feeling that there has been more stress upon problems than upon principles. In line with the best traditions of "the dismal science," the author finds no easy answers for the major problems.

Professor Buehler has given special emphasis to American conditions and problems. Fiscal matters in other countries, however, are not left unconsidered. As would be expected, England, France, and Germany are most frequently mentioned, but Russia, Canada, Italy, and others are also referred to from time to time. This adds much to the interest of the book and enhances its value for general reference purposes.

The space is well divided among the federal, state, and local government finances. A little more than one-fourth of the book is given over to general considerations. Of the rest, the remaining space is divided fairly evenly among the three types. State expenditures are discussed in a separate chapter and local expenditures are also. There is a chapter on state and local enterprises, a chapter on state income taxes, and one on state and local borrowing. Property taxes, inheritance taxes, commodity taxes, special types of business taxes,

and administrative revenues are discussed with special reference to their place in state and local revenue systems.

This book gives more than a fair conception of the problems arising from the multipartite character of our system of governmental organization. Subsidies and grants, tax rate and debt limitation provisions, central administrative control of local expenditures and accounts, the independent audit, problems of conflicting taxation, central collection and reallocation—all these topics and many others are given consideration. If Professor Buehler has not always given as full a discussion of these topics as the reader might desire, he has provided suggestions for additional reading at the end of each chapter.

Although the book does not depart from the beaten path very far, it is a welcome addition to the list of general works in public finance. It is up-to-date in matters of factual data. The more recent monographs, articles, and special reports have been utilized to good advantage. In view of Professor Buehler's previous studies of the general sales taxes, it is disappointing not to find a fuller discussion of that subject. He finds nine pages sufficient to dispose of it in this case. One is inclined to wonder if this does not minimize its importance in the present scheme of things.

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State Government and Administration in the United States. By Arthur W. Bromage. Harper and Brothers, New York, 1936. 678 pp. \$3.50.

This is a most useful and intelligently written and organized book, designed primarily

as a text for college courses in state government or the second semester of the year course in American government.

The principal problem of any new book in this field is its balancing of the old and the new in federal-state-local governmental relations. A century and a half of sculpture has been considerably re-carved in the last half dozen years. It takes a nice perspective to point out the contributions of old and new craftsmen and give some conception of further alterations to be made tomorrow without stressing the new at the expense of the old, or vice versa. This, the author has successfully accomplished.

Beginning with the evolution of the original state constitutions, the book includes material on all the leading aspects of state government and administration, concluding with an interesting chapter on the future of the states, with the Guffey Coal Act selected as an illustration of the No-man's Land which exists under our federal system between regulation by the national government and control by the states. The student seeking an analysis of the effect of the New Deal upon the position of the states in the federal system will find it in this book.

H. P. J.

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Central and Local Finance in Germany and England. By Mabel Newcomer. New York, Columbia University Press, 1937. 381 pp. \$3.50.

There are three distinct methods for adjusting revenues to needs among the different jurisdictions covering the same geographic area, Professor Newcomer reminds us in introducing her timely study of public finance in Germany and England. These are separation of sources of taxation (allotting to the federal government, for example, customs and certain other indirect taxes while letting the state and local governments retain the direct taxes), sharing of specific sources, and grants-in-aid. History has shown that as any federal government becomes older and the cost of government grows the tendency is to abandon the strict separation of federal and state revenue sources as well as independent taxes levied on the same source in favor of uniform and centrally administered taxes which the local governments share directly through

the distribution of fixed percentages or indirectly through grants-in-aid.

This has been true in the United States. In many states the system of sharing state revenues with local communities through grants-in-aid has developed to an advanced point while the grants-in-aid administered by the federal government both to states and directly to local units of government have increased rapidly in recent years. In 1930 transfers of revenues from central to local governments had reached nearly one billion dollars in this country; five years later this amount had quadrupled.

In view of this tendency toward centralization of the tax system, which introduces the serious problem of adequate controls, it is well to study the systems of Germany and England which have gone far in such centralization and from whose successes and failures we may profit. In Germany the distribution of revenues has been based almost entirely on the principle of sharing fixed percentages of specific, centrally administered taxes; in England the system of sharing is based entirely on grants-in-aid according to various measures of need, the most important factor in determining need being population weighted to allow for other factors.

Professor Newcomer, on leave of absence from her post as chairman of the department of economics at Vassar, studied the systems at first hand in these countries and her book includes those developments since the World War about which it has been most difficult to obtain adequate and reliable information, especially in Germany.

In the case of each country Professor Newcomer has traced the historical background leading up to the present system of tax distribution, showing how administration of functions has changed with the collection and allotment of revenues. The effects are illustrated through the use of specific example. The geographical areas are well chosen—the poorest districts to the wealthiest are examined as to taxes levied, method of distribution, and benefits received.

In a concluding chapter the German and English systems are compared especially as relates to the degree of local independence possible under each and from the standpoint of economy. The community that takes from

the central government in large measure, the one that is not self-supporting, Professor Newcomer holds, should only expect to have its freedom restricted and have the governmental functions administered by the authorities paying the bills. This is necessary to insure responsible expenditures. This should not, however, interfere with the independence of action of those communities which are self-supporting.

As for economy, grants-in-aid are preferable to returning a fixed share of a specific tax to the jurisdiction where it arises. For under the fixed share plan while the wealthy community perhaps receives more than it needs, the share returned to the poor district is inadequate to meet its needs, leaving a gap that must be filled.

A uniform tax system is opposed to local self-government. But we need not choose between the two, at least not at present. Professor Newcomer suggests compromise.

The study is well fortified with statistical data. Miss Newcomer's long-standing reputation for thorough research and keen analysis is augmented by her most recent contribution.

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Introduction to Governmental Accounting. By Lloyd Morey. New York, John Wiley & Sons, 1936. 318 pp. \$3.50.

The first edition of Mr. Morey's book, which has been used widely as a text, was issued ten years ago. Methods of accountancy have so improved in the interim that for the second edition the material has had to be completely revised. The book, as

formerly, emphasizes the principles of public accounting rather than treating of details of form or procedure.

Accounting for utilities owned by municipalities and other governmental bodies is the topic for a new chapter. Problems in accounting to be solved by the student are correlated with the chapters. The author is professor of accountancy and comptroller of the University of Illinois and vice-chairman of the National Committee on Municipal Accounting.

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Lobbying for Social Legislation. By William T. Kirk. New York, Social Work Publicity Council, 1936. 22 pp. mimeo. Fifty cents.

So long as lobbying occupies the important place it does in obtaining legislation it is up to those who are interested in obtaining laws in the interests of the public welfare to master the technique of lobbying successfully. Mr. Kirk has condensed in this study ideas contributed by approximately twenty individuals identified with organizations interested in social legislation who have had long experience in lobbying for welfare measures. Their constructive suggestions will alleviate that sinking sensation in the breast of the amateur who approaches a state legislature for the first time not knowing where to begin or how. He is told what he can do before the legislature opens, how to follow a bill through the legislature, what the lobbyist can do or should not do at each point. This bulletin contains exactly the material that many citizen groups have been wanting for years.

LET'S MANAGE THE NATIONAL GOVERNMENT!

(Continued from Page 56)

VIEW readers. In its method of establishment of a greater degree of control over the operation of what Charles A. Beard calls the "American Leviathan," it follows directly the principles of the program long advocated by the National Municipal League, representing simply the application of these principles to the national government. Should the

program be adopted, as seems probable in view of the president's insistence, it will be a great triumph for those who have fought through the years for sound principles of public administration; nay more, it will be hammering more firmly into place the structure of democracy. For, as the president's committee itself emphasizes, "the forward march of American democracy at this point of our history depends more upon effective management than upon any other single factor."